

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60244 of 2024

Arising Out of PS. Case No.-619 Year-2021 Thana- BIHTA District- Patna

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ARVIND KUMAR S/O SRI RAMADHAR R/O VILLAGE- DHAMMI, P.S-
DHAMMI (BARUN), DIST.- AURANGABAD. PRESENTLY POSTED AS
THE COLLECTION MANAGAR IN THE AURANGABAD BRANCH OF
MAHINDRA @ MAHINDRA FINANCIAL SERVICES LTD. 1ST FLOOR,
MANOREENA HEIGHT, ABOVE IDBI BANK, IDBI CAMPUS, MAIN
ROAD, AURANGABAD-824101.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. AVINASH PRAKASH S/O SRI SATISH KUAMR CHAUDHARY R/O
SRIKRISHNA NAGAR, P.O- KHABRA, P.S- MUSHARI, DISTT.-
MUZAFFARPUR- 843146.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Kumar Roy, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Bihta P.S. Case No. 619 of 2021 for the offence registered
under Sections 341, 323, 504, 365 and 511/34 of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a Collection Executive working with Mahindra and
Mahindra and is a person with clean antecedent. It is next
submitted that the informant alleges that on 19.08.2021 while he



was travelling to his home district- Muzuffarpur along with his wife by a car used by his office and when he reached near Bihta Airport when a Bolero vehicle intercepted his car and accused alighted from the Bolero vehicle and forcibly took the informant and his vehicle to Mahindra Finance Office as such, it is alleged that the informant along with his wife were abducted.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in the instant case by the informant. It is next submitted that the vehicle in question was purchased by one Santosh Tiwari after obtaining loan from Mahindra Finance but then the loan amount was not paid, as such, the vehicle was repossessed but when an important fact transpired that the vehicle, in question, earlier was involved in the liquor case and the same was auctioned by the authority after seizure and on coming to know that the vehicle was being used by the District Programme Officer, as such, the vehicle was released immediately. It is thus, submitted that under confusion the said act of repossessing the vehicle was committed.

5. Learned APP appearing on behalf of the State opposes the prayer for bail.

6. Considering the submissions made by the learned



counsel appearing on behalf of the petitioners, let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M. 1st Danapur, Patna in connection with Bihta P.S. Case No. 619 of 2021, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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