

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72972 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

Sashant Kumar @ Shashant Kumar S/o Late Ajay Kumar Singh R/o Village-
Sherpar, P.O. and P.S.- Barbigha, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Shrivastava
	:	Mr. Girish Pandey
	:	Mr. Ram Nibash Prasad
For the Opposite Party/s	:	Mr. Rajendra Prasad Nat
For the Informant	:	Mr. Vijay Shankar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 06-12-2024

1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. This application, for grant of regular bail, arises out of Laheri Police Station Case No. 168 of 2024 dated 12.04.2024, disclosing offences under Sections 406, 420, 467, 468, 120(B), 471 and 34 of the Indian Penal Code.

3. As per the First Information Report, lodged by Area Risk Control Manager, HDB Financial Services, the petitioner, along with two other accused persons, in criminal conspiracy and by using fake documents, took loan from informant's company for purchase of nineteen tractors worth Rs. 1,16,00,000/- and the loan amount was kept in the dealers account i.e., Saurabh Kumar Jha. Upon inquiry, the HDB Company came to know that chassis and engine numbers of



nineteen tractors mentioned were fake and fabricated which has been confirmed by the Escort Company stating that the chassis and engine number provided for by the dealer for nineteen tractors were never manufactured and given to the dealer for sale.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has committed no offence and has falsely been implicated in this case. Petitioner was working in this company on the post of Senior Sales Officer and his duty was to see the document of the loanee and only after verification of all the papers related to loan, he forwarded the loan application, with related documents, to the senior officer of this company. Petitioner was working in the company as Senior Sales Officer from 05.01.2021 to 24.11.2023 and during that period, no embezzlement took place and the company also granted no dues certificate in favour of the petitioner. Informant dragged the name of the petitioner without any substantive evidence. He further submits that during the course of inquiry, there was nothing against the petitioner which can show his involvement in the present case. He further submits that the petitioner is in custody since 24.06.2024.

5. Learned counsel for the State opposes the prayer



for bail to the petitioner and submits that petitioner intentionally forwarded forged and fabricated documents with his OSV (original seen and verified) for disbursement of loan amount.

6. Regards being had to the submissions made by the parties and taking into consideration the fact that petitioner was working in the company as Senior Sales Officer from 05.01.2021 to 24.11.2023 and the company granted no dues certificate in favour of the petitioner, the petitioner is in custody since 24.06.2024 and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif at Nalanda, in connection to the Laheri Police Station Case No. 168 of 2024 dated 12.04.2024, disclosing offences under Sections 406, 420, 467, 468, 120(B), 471 and 34 of the Indian Penal Code.

8. This is subject to the condition that the petitioners shall present themselves before the Court, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond



shall be liable to be cancelled.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

