

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3906 of 2024

Arising Out of PS. Case No.-319 Year-2023 Thana- SIMRI District- Buxar

Mithilesh Kumar @ Atul Kumar Son of Shyam Narayan Kunwar R/o Village
- Dumari, PS- Simri, District -Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachina, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Simri P.S. Case No.319/2023 dated 13.09.2023 registered for the
offence punishable under Sections 467, 468 and 471 of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent. It is next submitted that
original name of the petitioner is Mithilesh Kumar but then he also
has an alias name Atul Kumar. It is further submitted that the driving
licence of the petitioner was in the name of Atul Kumar, as such, he
had obtained a vehicle loan from the bank in question in the name of
Atul Kumar. It is further submitted that the said fact was also brought
to the notice of the authorities of the bank that the petitioner is also
known by an alias name Atul Kumar, as such, the bank authorities



had requested the petitioner to give same on affidavit for which the petitioner also submitted an affidavit to the said effect as would be evident from Annexure-2 at page 45 of the anticipatory bail application, as such there was no intention on part of the petitioner to cheat the bank or to commit any fraud rather the petitioner after obtaining loan also cleared the entire loan amount for which the bank also issued no dues certificate as would be evident from Annexure-P7 to the anticipatory bail application.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Simri P.S. Case No.319/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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