

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64339 of 2025

Arising Out of PS. Case No.-68 Year-2023 Thana- COMPLAINT CASE District- Lakhisarai

Anup Jee @ Anup Kumar Chauhan S/o Sri Trigun Chauhan Resident of Sidhvaliya Budhsi, P.S. - Mohammadpur, District -Gopalganj, Presently posted as Area Manager, Mahindra and Mahindra Financial Services Ltd., Tilka Manjhi Road, P.S. - Mirjanhat, Bhagalpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjeet Yadav S/o Late Prabhu Yadav R/o vill - Gulani Dardhi Shir, P.S.- Kiul, Distt.- Lakhisarai, and Also R/o Darishir, P.S.- Banu Bagicha, Chanan Road, near School, distt.- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shivendra Roy, Advocate
For the State	:	Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-09-2025 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a complaint case registered for the offence punishable under Sections 420, 506 and 120B of the Indian Penal Code.

3. As per prosecution case, it is alleged that the complainant had purchased a Bolero car on finance from Mahindra Company and despite paying Rs. 4,00,000/-, as repayment of the loan, the petitioner refused to issue no dues certificate.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is quite innocent and has committed no offence. As a matter of fact, at the relevant time, petitioner was posted as Area Manager of the Mahindra Finance Company. The complainant had approached the Lakhisarai Branch Office of the company for availing a loan of Rs. 8,30,000/- for purchasing a Bolero Pick-up vehicle and loan of Rs. 8,30,000/- was issued along with finance charges of Rs. 3,22,600/- making the aggregate as Rs. 11,52,600/- payable in 60 fixed installments commencing from 14.04.2021 and ending on 10.02.2026. Apart from the aforesaid amount, the complainant/Opposite Party No. 2 was also required to deposit the AFC/Late fine in the event of delay in depositing the scheduled installments and a loan agreement to this effect dated 15.04.2021 with the detailed terms and conditions was entered into between the parties. Initially, the complainant/Opposite Party No. 2 made certain deposits in the loan account, however, subsequently, the complainant started defaulting the payment of installments and only a sum of Rs. 3,64,900/- was paid against the total aggregated amount of Rs. 11,52,600/- and therefore, a sum of Rs. 6,69,500/- remained overdue in the loan account with further Rs. 1,18,200/- towards future receivable and Rs. 3,42,506/- towards late fine/AFC due thus, making the total due



on 12.08.2025 to the tune of Rs. 11,36,206/-, which is evident from bare perusal of statement of account of the loan, copy of which is Annexure-P-6 to this bail application. It is thus submitted that even if the entire allegations as made in the complaint petition are taken to be true, mere payment of Rs. 4,00,000/- would not make the complainant entitled for receiving no dues certificate and thus, the allegations levelled in the complaint petition does not constitute an offence under Section 420 of the Indian Penal Code. None of the acts allegedly committed by this petitioner would give rise to any criminal liability. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 Judicial Magistrate 1st Class,
Lakhisarai in connection with Complaint Case No. 68(C) of
2023, subject to condition as laid down under Section 482(2) of
the B.N.S.S..

(Prabhat Kumar Singh, J)

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