

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74244 of 2024

Arising Out of PS. Case No.-383 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Karan Kumar @ Karan Kumar Sharma Son of Brahmanand Sharma Resident
of Village- Bhatwalaya PO and PS- Kota Bazar District- Saran at present
resident of village- Sabour, Ps- Sabour, District Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amit Yadav son of Bipin Kumar Yadav village- Katara Po- Kanhai, Via-
Baisi, Ps- Dagarua, Dist- Purnia P/A- Awadhesh Kumar Singh Chaudhary
market Mahavir Asthan Purane, dist- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-01-2025 Heard learned counsel for the petitioner and the State.

Despite valid service of notice, nobody appears for opposite
party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 406, 409, 420, 379, 323,
120B/417 of the Indian Penal Code.

3. As per the prosecution case, Complainants had
purchased a truck on loan, which was financed by the State
Bank of India, Main Branch, Purnea. The financier SBI, Purnea
due to non-payment of EMI of the said loan, declared the loan
account of the complainant as NPA illegally as complainant
due to COVID-19, could not pay the installment amount of
EMIs regularly. On 13.1.2022 co-accused Raj Kumar Yadav
intimated the complainant through letter that a firm known as
Singh and Associates have been appointed as Repossessing



agency and whenever they will contact and try to recover the said stressed asset, the complainant shall co-operate and deliver the said vehicle. Complainant tried to contact co-accused Raj Kumar Yadav against his illegal act but no response was taken by him. Complainant further contacted co-accused Amitesh Kumar Sinha to stop his illegal activities. It is further stated that on 12.2.2022 at around 8/9 A.M., when driver of the said vehicle loaded the truck with sand was coming and started to move towards Purnea then petitioner, impersonating himself as the recovering agent of Singh Associates, with his unknown group members assaulted the driver and took the vehicle to Bharat Parking, office of co-accused Md.Yakeeb for selling to the other customer after snatching Rs.45000/- in cash kept for filling with fuel and other Miscellaneous purposes.

4. Learned counsel appearing for the petitioner while denying the allegations, submits that the petitioner is no way concerned with Singh Associates. Opposite party no.2 has himself stated in SA in his court question that Singh Associates is associated with SBI and head of the Singh Associates, namely, Amitesh Kumar has sent him legal notice for clearing the loan amount. Petitioner has got no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, 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 the Judicial Magistrate 1st class, Purnea in Complaint Case No. 383/2022, Gopalganj in Complaint Case No. 1348 of 2020, Trial



No. 2475 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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