

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84079 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- RUPASPUR District- Patna

Amarnath Sah, S/O Bhukhal Shah, R/O Village- Rangilo Tola,
Mahammadpur, P.S.- Garkha, Dist.- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-12-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with Rupaspur P.S. Case No. 91 of 2025 registered for the offence punishable under Sections 318(4), 338, 336(3), 316 (2) and 3(5) of the B.N.S.

3. The case of the prosecution, in short, is that the informant is the Regional Sales Manager, L & T Finance, Patna, a non-banking finance company registered by R.B.I. It is further alleged that co-accused Amrit Kumar in collusion with different persons on the basis of forged documents got disbursed loan of Rs. 2,68,00,139/- for the purchase of tractor to different persons. The petitioner is one of the loanees.

4. Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. His documents have been used by accused Amrit Kumar for cheating him and that he has received neither single penny nor any tractor. He is simple man having no knowledge regarding the transaction. He is having no criminal antecedent and he is languishing in judicial custody since 21.05.2025.

5. The application for bail is vehemently opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant has submitted and filed certain documents to show that the amount was disbursed in the loan account of the petitioner. Even he has repaid certain installments and after some time, he stopped paying the installments of the loan. His other documents show that he has also received the tractor. Learned counsel for the informant has further submitted that though the petitioner has received the loan and the tractor as well but it seems that he has sold the tractor and he is not willing to pay the loan.

6. Heard the learned counsel for the parties and perused the record.

7. From perusal of the record, it is clear that in these transactions, one Amrit Kumar is the kingpin on whose instance, these transactions have taken place. On being asked, the petitioner



has told that he has nothing and he is not able to repay his loan. Admittedly, he is *loanee* and there is outstanding loan against him but as far as the the factum of cheating is concerned, I do not find that there is any role of the petitioner.

8. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-2, Danapur, Patna in connection with Rupaspur P.S. Case No.91 of 2025.

9. However, the informant, L & T Company is at liberty to sue him at proper forum for recovering the loan.

(Ashok Kumar Pandey, J)

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