

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29122 of 2025

Arising Out of PS. Case No.-471 Year-2023 Thana- COMPLAINT CASE - NAUGACHIA
District- Bhagalpur

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Eknath Sharma Son of Surendra Sharma Resident of Village- Chakrami Narayanpur, P.S.-Bhawanipur, District- Bhagalpur, presently R/o- Housing Board Colony, Bhagalpur, MH-5 LH-35, Arban Near Polytechnic Ground, P.S.- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abhishek Kumar Son of Bajrang Rajak Resident of Village- Chitragariya, P.O.- Benagariya, P.S.- Shikaripara, Dist.- Dumka, Jharkhand, Present R/O Vill. and P.O.- Shikaripara, P.S.- Sikaripara, Dist.- Dumka, Jharkhand
3. The Manager, Tata Motors Finance Ltd. TMFL, Purnea Branch, Purnea, P.O. and P.S.- Purnea, Purnea- 854301

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar Pandey, Advocate
For the State	:	Mr.Umanath Mishra, APP
For the OP No. 3	:	Mr. Dhananjay Kashyap, Advocate
For the Complainant/OP	:	Mr. Majid Mahboob Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 12-03-2026 Heard learned counsel for the petitioner; learned A.P.P. for the State and learned counsel for the Tata Motors Finance.

2. The petitioner apprehends arrest in connection with Complaint Case No. 471 of 2023 instituted under Sections 406 and 417 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is accused of fraudulently selling the vehicle under finance.

4. From the allegation levelled in the FIR, it appears



that the petitioner has bought a truck financed by Tata Finance Limited. Subsequently, the truck was sold to the complainant without informing him that it was under hypothication from the Tata Finance. Thereafter, the petitioner had taken further loan from Tata Finance and now the aforesaid loan account stands at Rs. 70 lakhs. It appears that the petitioner has cheated the complainant as well as the Tata Finance.

5. In these circumstances, this application is dismissed.

6. The petitioner is directed to surrender within two weeks from today and pray for regular bail, failing which the Senior Superintendent of Police, Bhagalpur will take all steps for arrest of the petitioner.

7. Let a copy of this order be communicated to the Senior Superintendent Police, Bhagalpur through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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