

(2021) 04 JH CK 0065

In the Jharkhand High Court

Case No : Bail Application No. 3521 Of 2021

Satyendra Kumar @ Satyendra Burnwal

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 08-04-2021

Acts Referred:

Citation : (2021) 04 JH CK 0065

Hon'ble Judges : Rongon Mukhopadhyay, J

Bench : Single Bench

Advocate : Indrajit Sinha, Md. Azeemuddin

Judgement

Heard the learned counsel appearing for the respective sides. So far as the defect No. 5(e) is concerned, learned counsel for the petitioner undertakes to remove the same once the situation normalizes. As regards defect No. 9(i), as pointed out by the office is concerned, the same is ignored.

The petitioner is an accused in connection with Parsudih P.S. Case No. 108 of 2016.

It has been alleged that the informant had applied for a loan of Rs. 5 Lakhs from the Bank of India. It has been alleged that the informant subsequently received an information that an amount of 14.80 Lakhs has been disbursed. It has further been alleged that the loan has been transferred to the account of the other accused.

It has been stated by the learned counsel for the petitioner that the informant was all along aware about the sanction and deposit of the loan amount of Rs. 14.80 Lakhs in the account of the informant. It has further been stated that the informant was repaying the loan and after one year only to avoid payment of the instalments, he has instituted the First Information Report. It has further been submitted that charge sheet has already been submitted and that the petitioner is in custody since 18.12.2020. Learned counsel adds that an enquiry was conducted by the bank against the petitioner and ultimately he was dismissed

from service.

Learned APP has opposed the prayer for bail of the petitioner. The account of the informant does indicate that an amount of Rs. 14.80 Lakhs was disbursed by the bank and the informant was aware about the said fact as certain instalments were also paid by the informant towards the said sanctioned loan amount. The informant therefore cannot take a stand that he had applied for a loan of Rs. 5 Lakhs but a loan of Rs. 14.80 Lakhs was sanctioned in his favour.

On consideration of the aforesaid facts and circumstances of the case, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate at Jamshedpur in connection with Parsudih P.S. Case No. 108 of 2016.