

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26309 of 2017

Arising Out of PS.Case No. -554 Year- 2015 Thana -DANAPUR District- PATNA

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Aman Kumar Dubey (Aged about 47 Years), Son of Late Anant Kumar Dubey, Resident of Arpana Bank Colony, Phase 11, Ramjaipal Nagar, West Baily Road, P.O.- Danapur, P.S.- Patna-801503.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bal Bhushan Choudhary

For the Opposite Party/s : Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 09-11-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Danapur P.S. Case no. 554 of 2015, registered under Sections 406, 467, 468, 469 and 420 of the Indian Penal Code.

The accusation is that petitioner being the Area Sales Manager of State of Bihar of Quebec Petroleum Resources Ltd. in which the informant Jitendra Shanti Lal Sah is an employee selected his wife Smt. Tanuja Devi, who used to run Kishlay Enterprises, Patna as dealer of the company, which was against the term of employment and also transferred the company's goods worth of Rs. 4,93,840/-. On enquiry, Kishlay Enterprises belonging to Smt. Tanuja Devi wife of the petitioner was found fake as the same was not registered under the Commercial Taxes Department.



Learned counsel for the petitioner submits that, in fact, the petitioner was Area Manager of Quebec Petroleum Resources Ltd. and due to stopping of the business by the company, his services was terminated on 06.10.2012. Further submission is that in view of the letter dated 8th August, 2012 of the company he realized due amount to all dealers and after adjusting his salary and other emoluments, he returned the rest money to the company. Further submission is that terms and conditions of the service of the petitioner with the company is annexed as Annexure-2 to the petition in which there is no rider of appointment to family member of the petitioner as dealer and the firm Kishlay Enterprises of Tanuja Devi, wife of the petitioner is also registered in Commercial Taxes Department.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M. Danapur in connection with Danapur P.S. Case No. 554 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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