

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

Arising Out of PS. Case No.- Year- Thana- District- Begusarai

Manoj Kumar Verma, son of late Braj Kishore Prasad Verma, at present residing at village Bharra Suja, Larbharia Tola, P.S. Muffasil, district Begusarai ... Petitioner

Versus

1. The State Of Bihar, Through Director General Of Police, Bihar, Patna & Ors. ... Respondents

**Appearance :**

|                      |   |                                       |
|----------------------|---|---------------------------------------|
| For the Petitioner   | : | Mr. Manoj Kumar Verma, in person      |
| For the State        | : | Mr. Saroj Kumar Sharma, AC to AAG III |
| For respondent no. 8 | : | Mr. Deepak Kumar Sinha, Adv.          |

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

9      16-03-2018                      Pursuant to last order, dated 14.03.2018, the  
petitioner, Manoj Kumar Verma, has been produced in Court  
today.

At the same time the Superintendent of Police, Purnea, and Superintendent of Police, Begusarai, along with the Officer-in-Charge of Khazanchi Haat Police Station, Purnea, are present in person. They are represented by Mr. Saroj Kumar Sharma, AC to AAG III.

During the course of hearing today, the learned Advocate representing the State has placed before this Court a Xerox copy of the counter affidavit sworn on 02.01.2018 by Manoj Kumar Sudhanshu, Deputy Superintendent of Police (Headquarter), Purnea, in the instant case. The original counter affidavit is said to have been filed in the Registry, but, the same is not available on the record, therefore, in order to hear the matter, this Court is taking-on record the Xerox copy of the



same, which has been produced by the learned Advocate.

A counter affidavit has also been filed on behalf of respondents 1, 3, 5, 6 and 8 sworn by the Deputy Superintendent of Police (R), Begusarai.

The Superintendent of Police, Begusarai, who is present in person, has placed before this Court his comments together with a report bearing Memo No. 290/2018, dated 15.03.2018, submitted by the Police Inspector-cum-Officer-in-Charge, Muffasil, Begusarai, which has been prepared in view of the order of this Court to provide security to the family of the petitioner, if they have got any threat.

All these facts and the reports unequivocally show that this petitioner is a named accused in several cases. The affidavit of respondent no. 2 states that K.Hat (Maranga) P.S. Case No. 470 of 2008 was instituted on 18.11.2008 against this petitioner and others for the offences alleged under Sections 420 and 406/34 of the Indian Penal Code and 138 of the Negotiable Instrument Act. On investigation the case was found true against both the accused persons in the said case and, accordingly, the charge sheet was submitted. K. Hat (Madhubani) P.S. Case No. 326 of 2009 was instituted against



the petitioner on 17.08.2009 for the offences punishable under Sections 420 and 406 of the Indian Penal Code. After investigation the said case was also found true and the charge sheet was submitted on 10.09.2009.

Yet another case being K.Hat (Madhubani) P.S. Case No. 305 of 2014 was instituted on 17.05.2014 on information of one Amba Devi, wife of Ratan Kumar Chaubey against the writ petitioner and others for the offences punishable under Sections 384, 420, 465, 468, 471 and 120B of the Indian Penal Code. This case has also been found true against him and the other accused persons. The affidavit has been supported by enclosing the copy of the report, dated 20.12.2017, along with the supervision note of the Superintendent of Police, Purnea. According to him, wife of this petitioner had lodged one K. Hat P.S. Case No. 16 of 2010 on 14.01.2010 against Naiyar Hussain and others for the offences punishable under Sections 341, 342, 323, 448, 467, 468, 471 and 120B/34 of the Indian Penal Code. During the course of investigation the said case was found false and, accordingly, a final report has been submitted by the investigating officer on 26.02.2010. In support of this a copy of the report as contained in Annexure 'C' to the affidavit has been



brought on record.

The counter affidavit filed on behalf of respondents 1, 3, 5, 6 and 8 would reveal that the Station House Officer, Cheriya Bariyarpur Police Station had certain confidential information with regard to one suspect who was later on arrested in course of a raid and on search several incriminating materials along with fake ID cards, rail maps etc. were seized from his custody. The investigation in the said case was done by the NIA team, ATS team of Uttar Pradesh, ATS team of Bihar, IB Special Cell, Patna, District Police of Samastipur and Samastipur Rail Police regarding the Kanpur rail accident. After investigation, a charge sheet has been submitted against him.

The petitioner has been expressing apprehensions as to a possible threat to his life and family. The petitioner has certain vague stories to convey this Court regarding his supplying certain papers to some-body, however, despite best efforts neither this Court nor the learned Advocate, representing the State and the officers, who are present in Court, are able to understand as to what the petitioner is trying to convey and it does not inspire confidence.



This Court, therefore, understand that these are all cooked-up stories, which are being tried to be placed before this Court in order to confuse the whole issue. There is no denial of the fact that the petitioner is involved in aforementioned cases and, in fact, in one case of K. Hat, being P.S. Case No. 326 of 2009, he was on bail and after completion of investigation when the police submitted the charge sheet and cognizance was taken, the petitioner instead of putting appearance before the Court below absconded and committed breach of the terms and conditions of bail.

Report submitted by the Police Inspector-cum-Officer-in-Charge of Muffasil Police Station, Begusarai, prepared on 15.03.2018 would reveal that the petitioner has shifted with his family in the house of his father-in-law, Narayan Agarwal, at village Bharra and for last about five years he is residing there. He has also purchased some land and is constructing a house at his in-laws place. The report, further, reveals that the mother of the petitioner was living separately in New Sipahi Tola at Purnea and at one place in the comment of the Superintendent of Police, Begusarai, it is also mentioned that while the petitioner had been doing his business with one



Md. Naiyar Hussain and Md. Nayeemuddin in partnership they developed some differences and, thereafter, the cases were registered. The report clearly shows that there is no threat to the family of the petitioner at village Bharra in the district of Begusarai.

In course of hearing the petitioner has offered so many cock and bull stories, but, this Court is unable to accept the same as it writes large from the materials available on the record that this petitioner having been involved in so many criminal cases is admittedly absconding and moving around by jumping upon the conditions of bail granted to him in some of the cases. The petitioner and/or his family has no threat perception as is apparent from the reports and submissions of the two Police Officers and the Officer-in-Charge of the K. Hat Police Station, who are present in person.

This Court finds no reason to entertain the present writ application, however, the petitioner being an absconder and wanted in the criminal cases, which have been referred here-in-above, is being handed over in custody to the Officer-in-Charge, K. Hat Police Station, Purnea, who will produce him tomorrow before the Court of the learned Chief Judicial Magistrate,



Purnea, for further needful in connection with the cases in which he is wanted. The rest will follow in accordance with law.

The writ application is disposed off, accordingly.

The personal appearance of the officers is hereby dispensed with.

**(Rajeev Ranjan Prasad, J)**

Shamshad/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

