

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24593 of 2018

Arising Out of PS. Case No.-347 Year-2017 Thana- BIKRAM District- Patna

Chandramani Kumar @ Manish, Son of Baikunth Prasad, Resident of Village-
Bharamasthan, Biharsharif, Police Station-Chandi, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner, already in custody, seeks bail in connection with Bikram PS Case No.347 of 2017, registered under Sections 467, 468, 471, 419, 420, 406 and 120(B)/34 of the Indian Penal Code.

Allegation in brief is that there was an agreement in between the informant and one Pankaj Kumar for dealing and selling harvester and other agricultural equipment supplied by the informant's company. Allegation against the petitioner is that he along with his other associates sold the harvester amounting to Rs.20,40,000/- to Abdul Iliyas Alam and took his old harvester worth Rs.11,71,000/- and that was sold by the petitioner to another person and the money was not deposited in the company's account rather misappropriated by the petitioner.

Learned counsel for the petitioner submits that admittedly the petitioner is running an agency and dealing with the harvester of the company of the informant. The petitioner had given a blank cheque as security to the informant and that cheque



was misused by presenting in the bank worth Rs.1 crore and more for which the petitioner prior to the institution of this FIR instituted Complaint Case No.1169(C) of 2017 and subsequently the present FIR was lodged, so it is not a case having criminal intent, may be dispute of accounting between the parties.

The learned counsel appearing on behalf of the informant opposes the prayer of bail and submits that a false case was instituted by the petitioner and money of the informant has been misappropriated as after selling the harvester the money was not deposited in the account of the informant.

Having considered the aforesaid facts and circumstances, as the dispute predominantly appears civil in nature, so petitioner Chandramani Kumar @ Manish is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IVth, Danapur in connection with Bikram PS Case No.347 of 2017.

(Arun Kumar, J)

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