

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4879 of 2019

Arising Out of PS. Case No.-289 Year-2018 Thana- JAGDISHPUR District- Bhojpur

Manish Kumar @ Dara, son of Mahendra Singh, age-30 years, Gender-Male,
Resident of Village – Narhan, Police Station-Ramgarh, District-Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Pratap Singh
For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 26-08-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends his arrest in connection with
Jagdishpur P.S. Case No.289 of 2018 registered under Sections 420,
409 and 379/34 of the Indian Penal Code.

The accusation is that Renu Bharat Gas Agency, Harigaon,
was in the name of Abhishek Kumar Singh, the husband of the
informant Madhu Singh. The husband of the informant died in the
year 2015 and, thereafter, the aforesaid Gas Agency was transferred
in the name of the informant in the year 2016. Thereafter, the
aforesaid Gas Agency was being run in the supervision of its
manager, namely, Pradeep Kumar Chaubey, and the brother-in-law of
the informant, namely, Manish Kumar alias Dara (petitioner), and
both got the signature of the informant on five blank cheques. Later



on, two cheques were filled up, one in the name of Niraj Kumar Sunny of the amount of Rs.1,75,000/- and another cheque in the name of Mantu Singh of the amount of Rs.60,000/-. The aforesaid facts came in the notice of the informant through legal notice. The informant had no knowledge regarding the remaining three cheques. The informant also came to know that the T.V./T.B connection of 876 customers were disconnected from her Gas Agency of which the cost was of Rs.20,80,000/- and 1285 Regulators worth Rs.3,79,075/- and the Generator set worth Rs.60,000/- of the Gas Agency was sold by the Manager and her brother-in-law (petitioner).

Learned counsel for the petitioner submits that, in fact, after the death of the husband of the informant, Renu Singh, the mother of the petitioner filed Title Suit No.99 of 2018 in the court of the Sub-Judge, Jagidshpur, Bhojpur, on 22.05.2018 against the informant and others including this petitioner, claiming her share in the aforesaid Gas Agency. Thereafter, the informant has lodged the present case on 01.08.2018. At present, the informant is the owner of the said Gas Agency.

On the other hand, learned counsel for the informant submits that, in fact, after the death of the husband of the informant, on assurance of the family members of her husband to perform her re-marriage with the petitioner, the informant started living at Delhi and Renu Bharat Gas Agency was being looked after by this petitioner and the Manager Pradeep Kumar Chaubey, thereafter, this



petitioner, who is brother-in-law of the informant, misappropriated the money of the said Gas Agency with the Manager.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Bhojpur at Ara, in connection with Jagdishpur P.S. Case No.289 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

