

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22258 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- BARBIGHA District- Sheikhpura

MANORANJAN KUMAR @ MANORANJAN PRASAD SON OF
AWADHESH PRASAD RESIDENT OF VILLAGE -HASANGANJ, PS-
SHEIKHPURA, DISTRICT-SHEIKHPURA

... .. Petitioner/s

Versus

1. The State of Bihar
2. MAHESH PRASAD SINGH SON OF KAPILDEO SINGH RESIDENT OF
VILLAGE- JAIRAMPUR, PS- JAIRAMPUR, DISTT- SHEIKHPURA, AT
PRESENT MANAGER OF GAYATRI PATROL PUMP, BARBIGHA, PS-
BARBIGHA, DISTT- SHEIKHPURA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate.
For the Opposite Party/s : Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mr. Sheo Nandan Prasad, learned counsel

 appearing on behalf of the petitioner and Mr. Ajit Kumar,

 learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Barbigha P.S. Case No. 69 of 2023 registered for the
offence punishable under Sections 420 and 406/34 of the Indian
Penal Code.

3. As per the F.I.R., allegation against the petitioner
and other co-accused is that they had ran away with the diesel
delivery van containing petroleum product. Specific allegation
against the petitioner is that the diesel delivery van bearing



Registration No. BR01GH5673 containing 2500 litres of diesel which was to be delivered by the said van found empty and the petitioner is said to have not deposited the payment of the sale proceeds of the petroleum sold.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is an employee of the petrol pump of the informant and he has deposited Rs. 45,570/- towards payment of the sale proceeds and the informant has not suffered any loss on account of non-payment of sale proceeds.

5. Mr. Dinkar Kumar, Learned counsel appearing on behalf of the informant submitted that it is admitted that the petitioner has credited Rs. 45,570/- in the account of the informant but remaining amount has not been deposited till date. Learned APP for the State supported the submission made on behalf of the informant.

6. Considering the nature of allegation made against the petitioner as well as the fact that the petitioner has deposited Rs.45,570/-, informant has raised objection to the said fact but has not given as to what amount informant has suffered because of alleged illegal act of the petitioner. The informant is directed to furnish the details of the sale proceeds which was required to be deposited by the petitioner on the relevant date as per the



market rate of 2500 litres of diesel forthwith. The petitioner is directed to be released on pre-arrest bail subject to the condition that the the petitioner returns back the dues amount to the informant within a period of three weeks as has been calculated by the informant. In case the informant don't furnish the details of sale proceeds forthwith, not beyond a period of one week from today, the petitioner in that case is also directed to be released on bail, in the event of his arrest or surrender before the 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 learned C.J.M., Sheikhpura in connection with Barbigha P.S. Case No. 69 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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