

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48945 of 2024

Arising Out of PS. Case No.-184 Year-2021 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Manoj Kumar Yadav, S/O Late Jagdish Prasad Nirala, R/O Village- Bluahi
Khagaria, P.S- Town, Distt.- Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manjesh Kumar, S/O Late Hardeo Singh Propriatar Ma Laxmi Traders R/O
Village- Dohta, P.O- Mokhityarpur, P.S- Bhagwanpur, Distt.- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 27-08-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 184 (C) of 2021 registered for the
offence(s) punishable under Section(s) 323, 420 and 504 of the
Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is innocent and
has committed no offence and he has been falsely implicated by
the complainant due to previous enmity. As a matter of fact, the
petitioner is a broker by profession and he runs his business in
the house of Sangam, Lorry Broker NH-31, Baluahi Khagaria,



and he is a renowned and reputed businessman in his locality. It is further submitted that there is no question that he can cheat anyone and he had no concern with the alleged loaded material because his work is only to let the vehicle be available and when the truck and loaded rice went missing then the petitioner himself lodged a case bearing Khagaria P.S. Case No. 893 of 2020. It is further submitted that the allegations levelled against the petitioner are false and baseless and this case is a civil dispute and petitioner has got no criminal antecedent.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Heard both the sides and perused the relevant materials. The instant case is based on complaint filed by the O.P.2 against the petitioner. Though, as per the allegation a large quantity of rice, which was sent by the O.P. 2 through the petitioner's transport company, was allegedly misappropriated but regarding that misappropriation no legal action such as filing of a case was taken by the O.P No. 2 immediately and the occurrence alleged in the complaint only relates to abusing as well as taking of Rs. 25,000/- by the petitioner from the shop of the O.P. No.2 and petitioner has got no criminal antecedent, in my opinion, it is a fit case for anticipatory bail to the petitioner.



Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail in connection with Complaint Case No. 184 (C) of 2021 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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