

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20369 of 2025

Arising Out of PS. Case No.-61 Year-2024 Thana- Ghogha District- Bhagalpur

Umesh Jaiswal @ Tinku Jaiswal S/o Rambilash Jaiswal R/o vill- Dumaria,
PS- Mahgama, Dist- Godda, Jharkhand Petitioner/s

Versus

1. The State of Bihar
2. Bhrigunath Mandal @ Bhrigunandan Mandal S/o Mahendra Mandal R/o vill
- Sahpur, P.S.- Ghogha, Distt.- Bhagalpur
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh
For the Opposite Party/s : Mr. Navin Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 11-11-2025 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner is apprehending his arrest in Ghogha P.S.
Case No. 61 of 2024 registered under Sections 406 and 420 of the
IPC.

3. As per the informant's statement, the petitioner induced the
informant to purchase coal by falsely representing himself as a
licensed coal dealer and by such inducement, obtained a total sum
of Rs. 38,00,000/- through RTGS and cheques in the name of
Rudra Enterprises but thereafter, failed to supply the coal and
misappropriated the said amount, thereby cheating and causing
wrongful loss to the informant.

4. Vide order dated 02.07.2025, the matter was referred to
the Patna High Court Mediation and Conciliation Centre. The



report of the learned Mediator shows that the matter could not be resolved between the parties and therefore, the mediation failed.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is a person of clean antecedent. It has further been submitted that no cogent reason has been explained for the delay of three months in lodging the FIR.

6. Learned APP has opposed the prayer for anticipatory bail and submitted that the petitioner fraudulently obtained a sum of Rs. 38,00,000/- from the informant on the pretext of supplying coal, but despite receiving the amount, no supply was made. The allegations in the FIR has been supported by the statements of the informant and his associates which prima facie discloses the offence involving cheating and misappropriation.

7. In view of the serious nature of the allegations involving cheating and misappropriation of a substantial amount, this Court finds no ground to grant anticipatory bail to the petitioner. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

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