

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54899 of 2024

Arising Out of PS. Case No.-326 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Manish Kumar Singh @ Manish Singh Son Of Sunil Kumar Singh Resident
Of Village - Khapara Chandi, P.S. - Akorhi Gola, District - Rohtas, At Present
Village - Anwari, P.S. - Mohaniya, District - Kaimur

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Malti Devi Wife Of Sita Ram Bind Resident Of Village - Dumraith, P.S. -
Bhabhua, District - Kaimur

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 65982 of 2024

Arising Out of PS. Case No.-326 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Deepak Pal @ Deepak Kumar Pal Son of Sri Ram Pal R/o- Sondihara, P.S.-
Bhabua, District- Kaimur, 821109

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 54899 of 2024)

For the Petitioner/s : Mr. Dhaneshwar Pd. Singh, Advocate
Mr. Stayendra Pandey, Advocate

For the Opposite Party/s : Mr. Tribhuwan Narayan, APP

(In CRIMINAL MISCELLANEOUS No. 65982 of 2024)

For the Petitioner/s : Mr. Deepankar Raj, Advocate

For the Opposite Party/s : Mr. Tribhuwan Narayan, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

10 28-03-2025 Both Cr. Misc. applications have arisen out of the

same occurrence and as such, have been heard together and are

being disposed of by passing this common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.



3. The petitioners are apprehending their arrest in connection with Mohaniya P.S. Case No. 326 of 2023 for the offence under Sections 420, 406 of the I.P.C. lodged on 16.05.2023 by the informant Malti Devi.

4. As per the prosecution story, the informant has alleged that she purchased a vehicle bearing Chassis No. MAJ445502JUK69828 and Engine No. KRYSG3609 worth Rs. 7,10,000/- from the D.B.S. Automobiles Pvt. Ltd. She has paid downpayment of Rs. 1,27,000/- to the owner of the agency - Manish Singh (petitioner). The financier of the agency namely, Gauri Shankar Chaubey, has fixed the EMI of Rs. 13,120/- per month and gave a forged receipt of Rs. 26,420/-. Thereafter, the accused persons have not provided the Registration No. of the vehicle till the year 2022. Her vehicle is not in use for the last four years due to lack of Registration No.

5. Learned counsel for the petitioners submit that the petitioners have falsely been implicated in this case, they have not committed any offences and they are quite innocent. The petitioners is the owner of the said DBS Auto Mobile Pvt Limited. The petitioners have supplied the said vehicle Magic to the informant on the down payment done by the informant. The petitioners have neither misappropriated the money of the



informant nor Committed forgery with the informant. The informant has also filed Complaint Case i.e. Complaint Case No. 60 of 2022 before the District Consumer Forum, Kaimur and after hearing the parties the above said Complaint Case was dismissed vide 01.11.2023. There is no any Legal or Cogent evidence against the petitioners and the entire prosecution case against the petitioners are false fabricated and concocted. The petitioners are a law abiding citizen and there is no chance of the absconding or tempering with the prosecution evidence. The co-accused person Gauri Shankar Chaubey has been granted Anticipatory Bail by this Hon'ble Court Vide Order dated 11.12.2023 passed in Cr. Misc. No. 78151 of 2023.

6. Learned APP opposes the prayer for bail.

7. During course of argument, learned counsel for appearing on both the parties submit that the matter has been compromised between both the parties and now there is no dispute between them. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate,
Bhabhua Kaimur in connection with Mohaniya P.S. Case No.
326 of 2023 subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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