

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38364 of 2015

Arising Out of PS.Case No. -74 Year- 2015 Thana -KURTHA District- JEHANABAD

1. Ravi Kant Kumar Son of Sidheshwar Prasad Resident of Village- Kurtha ,P.s Kurtha,District Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Suresh Prasad Singh (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-09-2015 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kurtha P.S.Case No. 74 of 2015 registered for offences punishable under Sections 420, 467, 468, and 471 of the Indian Penal Code.

The prosecution case is that one Rohit Kumar, Assistant Engineer, Electric Supply Sub Division, Arwal lodged a written report to the officer-in-charge of Kurtha Police Station on 03.06.2015 alleging therein inter alia that he was informed by Electrical Junior Engineer (Revenue) Electrical Supply Sub Division, Arwal that Ravi Kant Kumar (petitioner) had been given franchisee (of Kurtha Block) for collection of Revenue, meter reading and distribution of electric bills in the villages of Kurtha

Block as per the Rules of Department. It is alleged further that bill amounts were being collected on Duplicate money receipts from rural consumers, Therefore F.I.R. was lodged in respect of allegation of getting duplicate money receipt printed and giving the same to consumers in lieu of payment received from them.

It has been submitted by the learned counsel for the petitioner that the petitioner on receipt of franchisee, had given the franchisee work i.e. collection of money to Dharmendra Kumar, who was found to be indulging in collecting money through forged receipts. It has further been submitted that petitioner recovered the amount of Rs. 68,000/- from said Dharmendra Kumar and deposited the same in the Revenue department Electrical Supply Sub Division, Arwal.

It has also been submitted that the petitioner has lodged an FIR against the said Dharmendra Kumar bearing Kurtha P. S. Case No. 23/2015 dated 25.02.2015, whereas the present FIR No. 74/2015 has been lodged on 03.06.2015. It is thus submitted that the petitioner is innocent and Dharmendra Kumar, his assistant in his franchisee work, had main role in collecting the money on forged receipt and it is on the basis of information by the petitioner that the present bungling and embezzlement has come to light.

Be that as it may, let petitioner Ravi Kant Kumar, in case of arrest or surrender within a period of four weeks from today before the Court below, will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal, (Jehanabad) in connection with Kurtha P.S.Case No. 74 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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