

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12174 of 2015

Arising Out of PS.Case No. -141 Year- 2014 Thana -EKMA District- SARAN

=====

1. SHRI OM PRAKASH SINGH @ OM PRAKASH SINGH Son of
Rajeshwar Prasad Singh Resident of Village- Merhukakala, P.O.+ P.S.-
Baniapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Singh

For the Opposite Party/s Mr. Smt. Gulnar Begum(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 01.05.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Ekma P.
S. case no. 141/2014 registered under sections 406 and 409 of the
Indian Penal Code.

Admittedly, petitioner was engaged as an agent of
electricity department to collect dues from customers but it is alleged
that the petitioner did not deposit collection of months of July, 2014
and August, 2014.

It is not clear from the first information report as well as
from the case diary as to whether the petitioner had collected dues
amount from customers for the above stated period or not.

Moreover, it is submitted on behalf of the petitioner that
petitioner collected amount for the month of June, 2014 and he did not



make any collection for the months of July, 2014 and August, 2014 as no meter reading of customers was provided to the petitioner by the officials of the department and, as a matter of fact, officials of the department lodged this false case against the petitioner with an intent to save their skin for the above stated fault. It is further contended on behalf of the petitioner that original receipts are still with the petitioner and the petitioner is ready to deposit original receipts with department.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in Ekma P. S. case no. 141/2014 subject to conditions as laid down under section 438(2) of the Cr.P.C and further condition that petitioner shall deposit original receipts with competent authority within three weeks from the date of furnishing bail bonds and shall produce receipts thereof before the court below.

However, it is made clear that if competent authority finds any discrepancy in receipts deposited by the petitioner, the competent authority may file a petition before the concerned court for cancellation of bail of the petitioner and in that event, competent authority shall also produce names of those persons from whom collections are said to have been made by the petitioner and if any

petition is filed on behalf of the competent authority, the concerned court may cancel bail of the petitioner after due and proper enquiry.

shahid

(Hemant Kumar Srivastava,J)



U		T	