

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50265 of 2017

Arising Out of PS.Case No. -114 Year- 2017 Thana -DHANAH District-
WESTCHAMPARAN(BETTIAH)

=====

Ganga Chaubey @ Ganga Kumar, Son of Markandey Chaubey, Resident
of Village- Musharwa, Police Station- Sathi, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 18-10-2017

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Dhanaha Police Station Case No. 114 of 2017 registered for the offence
under section 384 of the Indian Penal Code.

The informant of this case happens to be Assistant
Manager, Bihar State Food and Civil Supplies Corporation. He lodged
an FIR alleging therein that this petitioner used to demand money from
the PDS dealer of the locality. In course of enquiry, this petitioner
escaped from the godown premises leaving his motor cycle at the spot.

Learned counsel for the petitioner submits that the
informant has no locus standi to lodge the case. None of the PDS dealer
has made any complaint against this petitioner. The informant has not
disclosed the name of any PDS dealer from whom this petitioner had
demanded money. The petitioner was working as his domestic helper



and his salary for 6-7 months fell due against him and when he demanded his salary, the informant has lodged the case with false and frivolous allegation. The petitioner has clean antecedent and so he deserves anticipatory bail.

Learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the nature of allegation and also the clean antecedent, prayer of anticipatory bail is allowed.

Let the above named petitioner, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Dhanaha Police Station Case No. 114 of 2017, subject to the condition as laid down under Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

Mahesh/-

U		T	
---	--	---	--

