

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58677 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- TATARPUR District- Bhagalpur

Shankar Prasad Sah, S/o Late Chhedi Prasad Sah, R/o Mohalla- Parbatti, P.S.-
Tatarpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 59501 of 2018

Arising Out of PS. Case No.-140 Year-2018 Thana- TATARPUR District- Bhagalpur

Shankar Prasad Sah, Son of Late Chhedi Prasad Sah, Resident of Mohalla -
Parbatti, Police Station - Tatarpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 58677 of 2018)

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Mukesh Kumar Singh

(In Criminal Miscellaneous No. 59501 of 2018)

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 31-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in two
different cases registered for the offences punishable under
Section 7 of the Essential Commodities Act as well as Sections
308, 304 and 427 of the Indian Penal Code in connection vide



Tatarpur Police Station Case No.142 of 2018 and Tatarpur Police Station Case No.140 of 2018, respectively.

Petitioner is Proprietor of an LPG Gas services. Some Gas Cylinders exploded causing huge damage to the marriage hall by the side of the Gas Agency as well as some other buildings and death of some persons. Tatarpur Police Station Case No.142 of 2018 was registered on the allegation of recovery of Gas Cylinders and expired fire extinguisher, whereas Tatarpur Police Station Case No.140 of 2018 was registered for the occurrence of explosion.

Submission of the learned counsel for the petitioner is that this may be a case of bona fide negligence on the part of the cooks, who were preparing food on the occasion of marriage ceremony. No criminal act is made out against the petitioner. Petitioner is a licensee Gas Agency. Hence, recovery of some empty Cylinders does not change the situation.

Considering the facts and circumstances of the case aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the



satisfaction of learned court below where both the cases aforesaid are pending, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Let a copy of this order be communicated to the courts concerned, where the aforesaid cases are pending.

(Birendra Kumar, J)

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