

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 19288 of 2018

Arising Out of PS.Case No. -304 Year- 2017 Thana -JAGDIHSPUR District- BHOJPUR

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Pradeep Kumar Choubey @ Pradeep Choubey S/o Sri Pawan Kumar Choubey Resident of Village- Choubeypur, P.S. Phephna, District-Balia(U.P.).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

At the very outset, learned counsel for the petitioner seeks permission to make correction in the address of the petitioner and accordingly, he is permitted to do the same within course of the day.

Petitioner apprehends his arrest in connection with Jagdishpur P.S. Case No. 304 of 2017 registered for the offences punishable under Sections 420, 406/34 of the Indian Penal Code.

Petitioner was working as Manager at Renu Bharat Gas Agency, Harigaon and it is alleged that one Sunil Kumar Singh levelled allegation against the aforesaid gas agency before



the Collector, Bhojpur under *Bihar Lok Shikayat Niwaran Adhikar Adhiniyam*, 2015 but no action was taken on the aforesaid complaint and thereafter, the aforesaid Sunil Kumar Singh approached the Divisional Commissioner, Patna exercising his right to file appeal under the above stated Act and thereafter, the appellate authority having enquired into the matter directed the concerned officials to lodge F.I.R. against that agency and thereafter, the present case was lodged.

Submission on behalf of the petitioner is that the Divisional Commissioner never directed the concerned authorities to lodge F.I.R. against the Manager of the said agency and the direction was issued only to lodge F.I.R. against the concerned agency. He further submits that moreover, there was no allegation of taking excess money from the consumers and it is only stated that cash memos were issued to consumers after long delay. It is further submitted that petitioner being Manager of the aforesaid gas agency was working as per direction of the owners of above stated gas agency and, therefore, he is not responsible for any offence.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/



surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Bhojpur, Ara in Jagdishpur P.S. Case No. 304 of 2017 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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