

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9617 of 2018

Arising Out of PS.Case No. -257 Year- 2017 Thana -TATARPUR District- BHAGALPUR

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1. Bal Ram Choudhary @ Bal Ram Kumar Choudhary S/o Upendra Choudhary, R/o Laheria Sarai, Kupeshwar Nath, P.S.- Belipur, District-Darbhangha, Presently Residing at Kila Ghat Sarai, P.S.- Tatarpur , Under , District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Prasad Roy

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections-406, 385, 504, 506 of the Indian Penal Code.

The prosecution case as per the written report of Prabhavati Gupta dated 17.11.2017 submitted in Tatarpur Police Station is to the effect that the petitioner was an employee of a gas agency run by the informant. It is further alleged that after serving for about one year in agency, he stopped coming to the gas agency, when he was asked to furnish the accounts of sale proceeds. Subsequently, on 08-10-2017, when he came there, misappropriation of huge amount with regard to sale and delivery of gas cylinders, became apparent. It is also alleged against the petitioner that when the informant asked the



petitioner to return the money, the petitioner threatened the informant and also demanded extortion money.

It is submitted on behalf of the petitioner that the accusation has been levelled in the background of the fact that at earlier point of time, the petitioner filed a case in the Labour Court being Miscellaneous Case No. 02 of 2018, for demand of his arrears salary and in retaliation, the present case has been lodged against the petitioner.

Considering the nature of accusation and the fact that the petitioner had earlier filed a case against the informant for payment of arrears of salary, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of twelve weeks from today, 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-VII, Bhagalpur in connection with Tatarpur P.S. Case No. 257 of 2017, subject to the conditions as laid down under Section-438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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