

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51483 of 2024

Arising Out of PS. Case No.-2954 Year-2013 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Raj Kumar Prasad S/O Bindeshwari Prasad R/O Mohalla- Purbaba Road, P.S-
Town, Distt.- Bhojpur (ARA).

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Satendra Kumar S/O Ramnawami Shukla Prop. M/S Puspanjali Gas Service,
Power House Road, Chakkar, P.S- Kaji Mohammadpur, Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhijeet Kumar Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-09-2024 1. Heard learned counsel for the petitioner Mr.

Abhijeet Kumar Singh and the learned A.P.P. Mr. Chandra

Bhushan Prasad.

2. The petitioner apprehends his arrest in a case

registered for the offence punishable under Sections 406/34 of

the Indian Penal Code.

3. Learned counsel for the petitioner submits that

petitioner is a person with clean antecedent and is a retired

senior officer from the Oriental Insurance Company Limited, a

government of India undertaking. It is next submitted that the

complainant alleges that he got his truck insured by the Bajaj

Insurance Company and also took a goods carrier policy from



the Oriental Insurance. It is next alleged that the policy issued by the Oriental Insurance covered wider policy and was effective from 30.07.2009 to 29.07.2010, further on 05.05.2010 while the truck of the complainant which was insured transporting domestic gas cylinder when the driver was abducted and made unconscious and 306 domestic gas cylinders were found missing from the truck, accordingly, Kurhani P.S. Case No.91/2010 was instituted, and thereafter, the complainant approached the insurance company to get his claim redeemed but the claim was turned down, on the ground that the policy was not of a wider policy but a basic policy.

4. The learned counsel submits that the petitioner has been falsely implicated in the instant case. It is also submitted that the complainant never took a wider policy from the Oriental Insurance Company Limited rather had taken a basic policy, as would manifest from the policy, annexed with the anticipatory bail application, at page 20-22. It is also submitted that complainant has also filed a Complaint Case No.179/2013 before the learned District Consumer Forum, Muzaffarpur and the company is contesting the claim. It is further submitted that the case has been compromised and the payment of Rs.6 lacs has been made to the complainant.



5. Learned A.P.P. Mr. Chandra Bhushan Prasad opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No.2954/2013, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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