

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47708 of 2014

Arising Out of PS.Case No. -367 Year- 2013 Thana -CHAPRA CITY District- SARAN

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1. Jai Prakash Singh Son of Late Ram Bhajan Singh resident of village-
Bichla Telpa, P.S.- Chapra Town, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar

For the Opposite Party/s : Mr. Abhay Kumar No. 1 (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 25-05-2015 Heard the Counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in connection with
Chapra Town P.S. Case No. 367 of 2013 registered under Section
135 of the Electricity Act read with Section 379 of the Indian
Penal Code.

The prosecution case in brief is that during surprise
check, the petitioner was found consuming electricity by means of
hooking the wire causing loss of Rs. 1,70,000/- and odd.

Contention of the petitioner is that the petitioner had
already applied for domestic connection in the year 2012 after
depositing fee therefor. Again, the fresh application was made for
the same in the year 2013 and deposit was made. In spite of
several attempts made by him, no electric connection was

installed. The petitioner is ready and willing to deposit percentage of the loss sustained in order to contest the same.

Having regard to the aforesaid, this Court directs that in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in Chapra Town P.S. Case No. 367 of 2013 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner secure his arrest in accordance with law.

(iii) Along with the bail bonds, the petitioner should produce either receipt showing deposit of Rs. 25,000/- with the Office of the informant or a demand draft or banker's cheque of

the aforesaid amount favouring the informant without prejudice to his right and defence. The informant will be at liberty to withdraw the same. Within four weeks after grant of bail, the petitioner will deposit a sum of Rs. 20,000/- with the informant and produce receipt thereof before the Court by way of affidavit failing which the Court below shall cancel the bail bond of the petitioner and secure his arrest.

(Kishore Kumar Mandal, J)

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