

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17687 of 2015

Arising Out of PS.Case No. -213 Year- 2014 Thana -SINGHESHWARASHTHAN District-
MADHEPURA

Uma Shankar Tiwari Son of Late Keshaw Tiwari, Resident of Sirsiya, P.S.-
Singheshwar, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. North Bihar Power Distribution Company Limited through its junior
Electrical Engineer, null Electric Section, Singheshwar, Madhepura

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate.

For the Opposite Party/s: Smt. Renu Kumari (App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 23-07-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner faces prosecution for offence under Section 135 of the Electricity Act, 2003 and that the loss caused to the North Bihar Power Distribution Company Limited has been quantified Rs. 53,100/- and that the learned counsel for the petitioner has submitted that the petitioner shall deposit the aforementioned amount subject to the result of trial, this Court would be inclined to grant privilege of anticipatory bail to the petitioner.

That being so, if the petitioner, namely, Uma Shankar Tiwari surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail

bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Singheshwar P.S.Case No. 213 of 2014; subject to the following conditions:

- (i) That the petitioner shall produce the evidence of payment of Rs. 53,100/- to the North Bihar Power Distribution Company Limited through its Junior Electrical Engineer, Electric Supply, Singheshwar Section, Madhepura.
- (ii) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (iii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
- (iv) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case

and thereafter the court below will be at liberty to initiate the proceeding for cancellation of his bail on the ground of misuse.

- (v) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

Sujit/-

(Mihir Kumar Jha, J)

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