

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49651 of 2014

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Hira Lal Sah, Son of Late Ramchandra Prasad, Resident of village Hashanpur, Police Station – Nayagaon, District – Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh

For the Opposite Party/s : Mr. Raj Ballabh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 05-08-2015

The present application has been filed for

modification of order dated 12.04.2013 passed in Cr. Misc. No.

9923 of 2013 as well as order 11.12.2013 passed in Cr. Misc.

No. 48226 of 2013 for deleting the condition of deposit of

Rs.50,000/-.

The petitioner preferred Cr. Misc. No.

9923 of 2013 for grant of anticipatory bail in a case registered

under Sections 379 of the Indian Penal Code, 135 and 138 of the

Electricity Act.

The accusation was of committing theft of

electricity energy. The loss was calculated to the tune of

Rs.4,85,894/-. On the undertaking of the petitioner that the

petitioner is ready to deposit Rs.2,00,000/- (Two lakhs) before

the authorities within six months from the date of receipt or

production of copy of this order the petitioner was granted anticipatory bail. The bail bond of the petitioner was to be accepted by the learned court on deposit of the aforesaid amount.

The order dated 12.04.2013 passed in Cr. Misc. No. 9923 of 2013 was modified vide order dated 11.12.2013 passed in Cr. Misc. NO. 48226 of 2013 whereby on submission of learned counsel for the petitioner that the petitioner will deposit Rs.50,000/- before the concerned authority within a period of one week of the receipt/production of the copy of this order and rest amount in three installments within three months.

Now the plea is being taken that the petitioner is a poor persons and unable to deposit the aforesaid amount.

Considering the fact that twice application has been filed and false undertaking was given before this Court, this Court is not inclined to interfere with the present prayer.

Let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six

weeks from today in connection with Nayagaon P.S. Case No. 124 of 2012 pending in the court of learned Chief Judicial Magistrate, Saran at Chapra.

Accordingly, this modification application is disposed of.

(Dinesh Kumar Singh, J)

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