

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39914 of 2015

Arising Out of PS.Case No. -183 Year- 2015 Thana -AMARPUR District- BANKA

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1. Bishundeo Mandal @ Bishundeo Mandal Son of late Ayodhi Mandal
2. Rastrapati Mandal Son of Bishundeo Mandal
3. Biru@Birendra Mandal Son of Bishundeo Mandal
4. Manohar Mandal Son of Bishundeo Mandal
5. Raj Kumar Mandal Son of Bishundeo Mandal
6. Pawan Mandal Son of Bishundeo Mandal
all are resident of Village –Bachhani, P.S. Amarpur, District Banka.
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad
For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 22-12-2015 Heard learned Counsel for the petitioners and learned
Counsel appearing on behalf of the State.

Petitioners are apprehending their arrest in connection
with Amarpur P.S. Case No. 183 Of 2015 registered for offences
punishable under Section 304/34 of the Indian Penal Code.

It is submitted by the learned Counsel for the petitioners
that in the present case, the petitioners have been roped in only on
account of mischievous allegations made by some co-villagers
who are on inimical terms with the petitioners. It is further
submitted that if at all the petitioners were guilty of using naked
electric wire for connecting their transformers, the petitioners at
best can be roped in under Section 304(A) for their negligent act

and such allegation is subject matter of an enquiry which can best be established by the Electrical Department. Learned Counsel for the petitioners further submits that they are valid consumers and have never indulged in any sort of electrical theft and, therefore, the allegation made against the petitioners cannot be sustained.

Considering the gamut of facts and circumstances and that the petitioners have no criminal antecedent, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 183 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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