

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14684 of 2015

Arising Out of PS.Case No. -254 Year- 2013 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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Prem Bhagat S/o Late Yogendra Bhagat, Resident of Village Gurwaliya,
P.S. Manuwapur, District West Champaran, Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar.
2. North Bihar Power Distribution Company Ltd. West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma
For the Opposite Party No.1: Mr. Vinod Shankar Modi, APP
For the Opposite Party No.2: Mr. Vinay Kirti Singh
Mr. Vijay Kr. Verma

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-05-2015 Heard the parties.

The petitioner seeks bail in a criminal prosecution originally registered under Section 379 of the Indian Penal Code in which subsequently offence under section 135 of the Electricity act was also added.

Taking into consideration the fact that the petitioner is not named in the F.I.R., vide Annexure-1, as an accused and further taking into consideration the fact that he is in judicial custody since 01.12.2014, his prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned A. C.J.M., Bagaha, West Champaran in connection with Chautarwa P.S. Case No. 254 of 2013 dated 19.10.2013, Tr. No. 3373 of 2014, subject to the conditions that:

(A) One of the bailors must be a government servant



(B)

or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner, if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and

(C)

the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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