

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15602 of 2016

Arising out of PS.Case No. -10 Year- 2016 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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1. Narotam Pandey @ Narotam Kumar Pandey, Son of Late Vidya Sagar Pandey, resident of Village - Nerut, P.S. - Sare, District - Nalanda.
 2. Shankar Dayal Sharma, Son of Sri Talkeshwar Pandey, resident of Village - Amawan, P.S. - Bind, District - Nalanda.
 3. Mukesh Kumar Singh @ Mukesh Singh, Son of Naresh Singh, resident of Village - Toda, P.S. - Sarmera, District - Nalanda.
 4. Chandan Kumar, Son of Saina Yadav, resident of Village - Khanpur, P.S. - Bind, District - Nalanda.

.... Petitioners

Versus

1. The State of Bihar.
2. The Bihar State Electricity Board through its Secretary Vidyut Bhawan, Bailey Road, Patna.

.... Opposite Parties

Appearance :

For the Petitioners : Mr. Ajay Kr. Thakur, Advocate.
For the State : Mr. Subhash Chandra Mishra(App).
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-05-2016 Heard learned counsels for the petitioners, informant and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Asthawan P.S. Case No. 10 of 2016 for the offences instituted under Sections 147, 427 of the Indian Penal Code, 139 of the Electricity Act, 2003 and Essential Service Act, 1981 and Section 3 of the Prevention of Damage to Public Property Act, 1984.

The prosecution story, in brief, is that on the alleged date and time of occurrence the petitioners and others in cause of strike of distribution of Union Workers South Bihar Power alleged to have attempted the electric supply line causing loss of about Rs. 1,50,000/- and harassment to consumers..

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. They have been made accused in the present case due to mistake of fact. In fact, the electricity supply was disturbed due to storm that had come. The petitioners are labourers who were repairing the line to restore the electricity supply.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioners are named in the F.I.R. and they were on strike and intentionally they had tried to disturb the supply of electricity.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Asthawan P.S. Case No. 10/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-V, Nalanda at Biharsharif,

subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

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(Sudhir Singh, J)

