

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37526 of 2016

Arising Out of PS.Case No. -294 Year- 2015 Thana -HISUA District- NAWADA

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1. Bhim Vishwakarma son of Late Raghunandan Vishwakarma Resident of Village- Madhavchak Badhauna Police Station- Hisua, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anil Kumar Bharti son of Sri Vishwanath Thakur presently posted as Assistant Electric Engineer, Electric Division, Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 18-11-2016 Counter affidavit is filed on behalf of opposite party

No. 2.

Heard learned counsel for the petitioner as well as learned Additional, appearing for the Electricity Board.

The petitioner was caught red handed while running welding machine stealing electric illegally and accordingly, he caused damage to the electric department to the tune of Rs. 1,41,991/-

Submission on behalf of petitioner is that neither the Welding machine nor any motor was seized. It is further submitted that the petitioner is a bona fide consumer and moreover, he is languishing in jail custody since 01-07-2016.

Although learned counsel, appearing for the Board opposed the prayer but taking note of period of detention of the petitioner in jail custody as well as facts and circumstances of the case, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Hisua P.S. Case No. 294 of 2015 to the satisfaction of I/C Special Judge, (Electricity), Magadh Area, Gaya.

A.K.V./-

(Hemant Kumar Srivastava, J)

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