

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37854 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -PANCHRUKHI District- SIWAN

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1. Ehsan Ahmad, Son of Islam Mian, resident of Village- Makhnupur, P.S.- Pachrukhi, District- Siwan.
 2. Firoz Ahmad, son of Iftikar Mian, resident of Village- Hardiya, P.S. Pachrukhi, District- Siwan.
 3. Abbas Ali, son of Md. Ajij @ Abdul Ajij, resident of Village Mahuwal, P.S.- Hussainganj, District- Siwan.
 4. Krishna Kumar Kharbar, son of Nand Narayan Prasad, resident of Village Kohrauta, P.S. Pachrukhi, District- Siwan.
 5. Maksood Alam, son of Md. Imamuddin, resident of Village- Hasanpura, P.S. M.H. Nagar, District- Siwan.
 6. Mobin Alam, son of Jaherul Haque, resident of Village- Saheni, P.S. M.H. Nagar, District- Siwan.
 7. Shyam Lal Sah @ Shyam Lal, son of Kishnath Sah, resident of Village- Pakwalia, P.S. Siwan (Muffasil), District- Siwan.

.... Petitioners

Versus

1. The State of Bihar
2. Ranjit Kumar Deo, son of not known, the Junior Electrical Engineer, Electric Supply Unit, Pachrukhi, District- Siwan.

.... Opposite Parties

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Appearance :

For the Petitioners	:	Dr. Amrendra Kumar, Mr. Ramadhar Shekhar, Advocates
For the O.P. No.2	:	Mr. Dharmeshwar Mishra, Advocate
For the State	:	Mr. Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 20-09-2016

Heard parties.

The petitioners apprehend their arrest in a case registered for offences punishable under Sections 147 and 353 of the Indian Penal Code, Section 3 of the Prevention of Damage to Public Property Act, 1984 and Sections 139/140 of the Electricity Act.



It is contended on behalf of the petitioners that from the first information report itself it is apparent that the F.I.R. has been lodged merely on the basis of suspicion. It is further contended that the petitioners were outsourced by an agency and they were working on contract basis. It is contended on behalf of the petitioners that since nothing was being paid to them, therefore, they have stopped the work which is the reason for lodgment of first information report. They have not destroyed or wasted any property of the electricity department. It is not evident from the first information report also that such allegations have been made against the petitioners. In fact, it is not at all apparent from any of the reports as to what is the actual allegation against the petitioners.

Learned counsel appearing for the Electricity Board has submitted that it has come in the supervision note that due to the petitioners' involvement electricity supply was disrupted but it is not stated anywhere as to what has actually been done by the petitioners for obstructing the line.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Pachrukhi P.S. Case No. 15 / 16, on

furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of A.C.J.M., 7, Siwan subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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