

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58298 of 2015

Arising Out of PS.Case No. -268 Year- 2015 Thana -SHIVSAGAR District- SASARAM (ROHTAS)

Jai Prakash Singh @ Arjun Singh, Son of Bindhyachal Singh, R/o Village-Singhanpura, P.O.-Alampur, P.S.-Sheosagar (Baddi), District-Rohtas.

.... Petitioner

Versus

1. The State of Bihar

2. The Assistant Engineer Sasaram, Now South Bihar Power Distributor Company Ltd. Bidyut Bhawan, Baily Road Patna. Opposite Party

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Indu Bala Panday, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 01-02-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Sheosagar (Baddi) P.S. Case No. 268 of 2015, disclosing offences under Sections 135 of Electricity Act and Section 379 of the Indian Penal Code.

A Mobile Tower is said to have been installed by Bharti Infrantel Company over the premises in question. The officials of the South Power Distribution Company found theft of electricity by tapping L. T. line through PVC wire which was being supplied to the said Mobile Tower. Petitioner has been implicated on the ground of that he was working as Guard at the place, where the said Tower has been installed.

Learned counsel for the petitioner, while controverting

the allegations, made in the First Information Report, submits that he is the owner of the said land and there is a lease agreement between him and Bharti Infrantel and Idea Company, and he gets monthly rent in terms of the said agreement from the Infrantel Company. Learned counsel for the petitioner has submitted that his implication in the present case is absolutely baseless.

Considering the submission and nature of accusation, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sheosagar (Baddi) P.S. Case No. 268 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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