

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31036 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -PHULWARIA District- BEGUSARAI

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1. Mantun Kumar, Manav Bal, son of Dinesh Prasad @ Dinesh Chaurasiya,
Resident of Village- Chandaur, P.S- Bhagwanpur, District- Begusarai.
2. Nand Lal Tanti, Manav Bal, Son of Fulena Tanti, Resident of Village-
Bhagwanpur, P.S- Bhagwanpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Power Holding Corporation, Electricity Bhawan, Patna
through its Chairman.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. M.Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR

MANDAL

ORAL ORDER

2 17-08-2016 Heard the counsel for the petitioners, the counsel for

the Power Holding Company as well as Mr. Dayal APP for the

State.

A call of strike was made by the Union of the Energy
workers. In course whereof by the mischief of the strikers, the
Power Holding Company sustained loss to the tune of Rs. 36,000/-
besides causing hardship to the consumers at large. Precisely, with
this allegation the FIR has been lodged by the Assistant Electrical
Engineer in which, it is alleged that in course of rally organized
under the leadership of the Union leaders 33 KV electric line was
disrupted by throwing chain of cycle/thela on the main L.T.

line. The allegation is that these petitioners are instrumental in doing so.

Counsel for the petitioners submits that the allegation is based on suspicion. Some other accused persons carrying similar allegations have been released on anticipatory bail. As a condition of bail, the petitioner would be willing to pay the amount as fixed by the Court.

Having heard the parties and on perusal of the materials on record, I direct the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Phulwaria P.S. case no. 37 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further following conditions:-

- (i) Along with the bail bond each petitioner shall produce receipt showing deposit of Rs. 6,000/- in the office of the informant.
- (ii) One of the bailors shall be the own/close family member of the petitioners.



(iii) As soon as the charges are framed the petitioners shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

The payment so made shall without prejudice to the rights and contention of the parties and abide by the final decision of the case.

(Kishore Kumar Mandal, J)

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