

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18342 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -KAKO District- JEHANABAD

1. Arvind Kumar Son of Late Prasadi Singh, Resident of Ashiana Bigha Road, Near Zee School, Rajeev Nagar, Patna, P.S. Shastri Nagar, Patna - 25, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagdish Prasad
For the Opposite Party/s : Mr. Ashok Kumar(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 20-05-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory arises out of Kako P.S. Case No. 01 of 2016, disclosing offences under Section 409 of the Indian Penal Code.

Petitioner is a contractor. Allegedly, the petitioner was required to lift a burnt transformer from Electrical Supply Sub-Centre, Kako. He had lifted the said burnt transformer but did not deposit the same at T.R.W, Gaya where it was required to be deposited. It is, accordingly, alleged against him that he misappropriated the said transformer for his personal gain.

Learned counsel appearing on behalf of South Bihar Power Distribution Company has opposed the prayer for anticipatory bail and has submitted that the said burnt transformer was worth

Rs.17,75,877/-.

Learned counsel for the petitioner, in reply, has submitted that the petitioner had never lifted the said transformer and the allegation that he had lifted the same is incorrect.

Be that as it may, in the facts and circumstances of the case, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in Kako P.S. Case no. 01 of 2016, 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 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)

ArunKumar/-

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