

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39987 of 2017

Arising Out of PS.Case No. -96 Year- 2017 Thana -PARAIYA District- GAYA

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1. Sanjay Yadav S/o Kameshwar Yadav, resident of Village- Murgiya Bigha, P.S.- Paraiya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Junior Electric Engineer, Electric Supply Division, Paraiya, District- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha
For the Opposite Party/s : Mr. Sri Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-08-2017 Heard the parties.

The petitioner seeks regular bail in connection with Paraiya P.S.Case No.96 of 2017, registered for offences punishable under Sections 135 of the Electricity Act.

Allegation against the petitioner is of running the Floor Mill by committing theft of the electricity.

Submission of the learned counsel for the petitioner is that nothing has been recovered except 39 ton of copper wire and even the local witnesses have not been examined and only on the statement of three persons of the raiding party, he has been made accused in this case for causing loss of Rs.1,68,900/- to the South Bihar Power Distribution. The petitioner is in custody for about one month and even compliance of Section 100 of Cr.P.C. has not been made in this case as place of house of the petitioner is not



mentioned in the seizure list.

Heard learned A.P.P. and the learned counsel for the electricity board.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Electricity, Magadh Area, Gaya in connection with Paraiya P.S.Case No.96 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.
- (iv) During the course of investigation of the case, if any serious incriminating materials, other than the above, comes against the petitioner, the prosecution is free to move for cancellation of the bail bond of the petitioner.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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