

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11587 of 2017

Arising Out of PS.Case No. -198 Year- 2016 Thana -HISUA District- NAWADA

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1. Abhiram Singh, Son of Santosh Singh, Resident of Village- Bhadseni,
P.S.- Hisua, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.
2. South Bihar Power Distribution Company Limited through its Managing
Director.
3. Anil Kumar Bharti, Son of Vishwanath Thakur, Assistant Electric
Engineer, South Bihar Power Distribution Company Limited, Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar
For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 29-03-2017 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Hisua Police Station Case No. 198 of 2016, disclosing
offences under Sections 379 of the Indian Penal Code and
Section 135 of the Indian Electricity Act.

Learned counsel for the petitioner has submitted that
the petitioner is quite innocent and has not committed any
offence. In fact, there is recovery of only P.V.C. wire from the
possession of the petitioner as per the seizure list. Except this
nothing has been recovered from the conscious possession of the



petitioner. Mere presence of wire does not constitute offence under Section 135 of the Indian Electricity Act, therefore, no case is made out against the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Electricity), Magadh Area, Gaya, in connection with Hisua Police Station Case No. 198 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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