

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31156 of 2017**

Arising Out of P.S.Case No. -26 Year- 2017 Thana -PHULWARIA District- GOPALGANJ

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Sanjay Kumar Singh @ Sanjay Singh, son of Sri Utim Singh, Resident of  
Village- Rampur Kala, P.S.- Fulwaria, District- Gopalganj.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Naresh Prasad, Advocate

For the Opposite Party : Mr. Sanjay Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

2      13-07-2017                      Heard.

2. The petitioner apprehends arrest in connection with Fulwaria P.S.Case No.26 of 2017 registered for an offence under Sections 379/34 of the IPC.

3. The case has been registered on the report of Junior Engineer, Electricity Department. It has been alleged that he got an information from the villagers that three persons were seen committing theft of electric wire.

4. It has been submitted that the occurrence of alleged theft took place on 01.02.2017 but the FIR was lodged on 06.02.2017 for which there is no explanation of delay of five days. He further submits that some of the villagers tried to take electric line unofficially which was opposed by the villagers and other co-



accused and so the informant out of annoyance has lodged this case with false and frivolous allegation. The petitioner has clean antecedent and nothing has been recovered from his possession.

5. In view of the aforesaid facts prayer is allowed. Let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Fulwaria P.S.Case No.26 of 2017 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of CJM, Gopalganj subject to the conditions as laid under Section 438(2) of the Cr.P.C.

**(Sanjay Kumar, J)**

B.Kr./-

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