

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57084 of 2017

Arising Out of PS.Case No. -311 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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Shivam, S/o Shri Pradeep Kumar Sinha, Administrator of Ara Central School, Ramgariyah, Ara, P.S. - Ara Town, District - Ara at present resident of B - 201 Kashyap Suman Palace, RMS Colony, Kankarbagh, Patna, P.S. - Kankarbagh, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Junior Electrical Engineer, Electric Supply Division, Ara.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Agrawal, Advocate.
Mr. Aakash Kishoe, Advocate.
Mr. Ashis Singh, Advocate.
For the Electric Department : Mr. A.K. Ojha, Advocate.
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-12-2017 Heard learned counsel for the petitioner, learned counsel for the Electric department and the State.

The petitioner apprehends his arrest in **Ara Town P.S. Case No. 311 of 2017** instituted for the offence under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that after two years of providing electric connection, the instant First Information Report has been lodged by Junior Electrical Engineer alleging that petitioner has got electricity on the basis of forged documents. Subsequently, the electric connection of the petitioner was disconnected. It has further been submitted that the



documents on the basis of which the electric connection was taken by the petitioner, is missing from the office of the electricity department. The electricity department is custodian of the documents and documents are missing from their custody and false allegation has been levelled against the petitioner that he has taken electric connection on the basis of forged documents.

Learned counsel for the petitioner has submitted that there is dispute between the landlord and tenant for which Title Suit No. 148 of 2017 is also pending between the parties.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Ara Town P.S. Case No. 311 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Ara**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and



reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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