

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18156 of 2017

Arising Out of PS.Case No. -235 Year- 2016 Thana -SONBERSA District- SITAMARHI

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1. Dudhnath Rai Son of Gagandeo Rai Resident of Village- Bala Jalaspur,
P.S. Basantpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-04-2017 Heard the parties.

The petitioner seeks regular bail in connection with Sonbarsa P.S.Case No.235 of 2016, registered for offences punishable under Sections 136 of the Electricity Act.

Allegation against the petitioner is about theft of 43 pieces of Poles as it is alleged that 75 Poles were supplied out of them 43 were found missing.

It is submitted on behalf of the petitioner that with respect of same occurrence, another case bearing Dumra P.S.Case No.323 of 2016 has been filed and the present case has also been filed. The petitioner is in custody for about two months and nothing has been recovered from possession of the petitioner. He is only a Driver.

Heard learned A.P.P. also, who has opposed the prayer for



bail.

Having heard both sides and in view of no recovery and he has remained in custody for about two months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Sitamarhi in connection with Sonbarsa P.S.Case No.235 of 2016.

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 the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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