

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40253 of 2017

Arising Out of PS.Case No. -86 Year- 2017 Thana -KHAGAUL District- PATNA

=====

Chhotu Kumar @ Rajiv Ranjan Son of Shri Girind Kumar Singh @ Shri Girindra Kumar Singh, R/o Rafiganj (Babuganj), Ward No. 7, P.S.- Rafiganj, District- Aurangabad at present residing at Bishambharpur, P.S.- Kashima, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar-1, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-09-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in connection with Khagaul P.S. Case No. 86 of 2017 for offences punishable under Section 379 of the Indian Penal Code.

The prosecution case, as lodged by the Junior Engineer, Electric Supply Sub-Divison, Khagaul, Danapur, Patna that he received information that at Chakardaha More, a transformer has been burnt, thereafter, it was found that three persons had removed the old transformer and installed a new transformer and on C.C.T.V. footage the petitioner who was a sub-contractor of Polycab Agency, who was doing electrification work in the name of Raj Construction was found to be installing, taking



away the old transformer, who in his confessional statement confessed that he sold the old transformer worth Rs. 3,70,000/- to one Sonu.

It has been submitted by the learned counsel for the petitioner that he is innocent who was a Sub-contractor engaged in installation of new transformer and other electrification works and the confessional statement before police has not evidentiary value in the eye of law. He submits that the petitioner has no criminal antecedent and has been falsely implicated in the aforesaid case. It is further submitted that no case under the Electricity Act has been lodged against the petitioner and he is languishing in judicial custody since 06.06.2017 and cost of new transformer is Rs. 1,76,423.40/0 only which shows the falsity of allegations.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Additional Chief Judicial Magistrate, Danapur, Patna in connection with Khagaul P.S. Case No. 86 of 2017, subject to the condition that one of the bailors would be a close relative of the



petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

khushbu/-

U		T	
---	--	---	--

