

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35193 of 2017

Arising Out of PS.Case No. -339 Year- 2013 Thana -FORBESGANJ District- ARRARIA

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Shyam Kumar Singh, Son of Bindeshwari Prasad Singh @ Bimleshwar Prasad Singh, Resident of Village- Keshri Mohalla, Din Dayal Chowk, Forbesganj, P.S.- Forbesganj, Dist.- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. North Bihar Power Distribution Company Ltd. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 11-08-2017 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Forbesganj P.S. Case No. 339 of 2013 for the offences punishable under sections 341, 353, 323, 504 and 506 of the I.P.C.

Allegedly, when the informant being Junior Engineer, Electricity Department, Forbesganj went at the premises of the petitioner to make request to deposit the dues electric bill then the petitioner started abusing and assaulting the informant and further caused threats to kill him.

Submission is of false implication and that the date of



occurrence is alleged to be on 30.08.2013 but from Annexure-2 it reveals that the bill was payable up to 03.09.2013 with interest, the petitioner has already deposited the electricity dues on 31.08.2013, vide Annexure-3, and considering all these facts, during investigation the petitioner was granted benefit of section 41 of the Cr.P.C, but now charge sheet has been submitted.

The learned A.P.P. submits that as the petitioner was granted benefit of section 41 of the Cr.P.C. and as such he should surrender and seek regular bail.

In the facts and circumstances as stated above, the petitioner is directed to surrender and seek regular bail and in that case the petitioner shall be released on bail considering that he has not misused the privilege of bail and he was granted benefit of section 41 of the Cr.P.C. during investigation and further considering that he has already deposited the dues amount.

(Jitendra Mohan Sharma, J)

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