

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52440 of 2017**

Arising Out of PS.Case No. -1 Year- 2013 Thana -EKMA District- SARAN

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1. Suresh Singh @ Suresh Kumar Singh, Son of Paras Nath Singh,
2. Mukesh Singh @ Mukesh Kumar Singh Son of Paras Nath Singh,
3. Balmiki Rai Son of Bhuneshwar Rai,
4. Banmali Rai Son of Late Tokhi Rai,
5. Shatrudhan Singh Son of Late Shiv Kumar Rai,
6. Mukesh Sah Son of Amika Sah,
7. Sri Ram Mahto @ Sri Ram Prasad Son of Ram Bachan Mahto,
8. Ramesh Thakur Son of Kamlesh Thakur,
9. Umesh Singh @ Umesh Chandra Singh Son of Late Bishwnath Singh,

All R/o Village- Badheya, P.S.- Ekma, District- Saran at Chapra.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Avinash Kumar J. E. Ekma, Saran, Son of Shiv Prasad Singh, R/o Murli, P.S.- Ragra Chowk, District- Bhagalpur.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

For the North Bihar Power

Distribution Company Ltd. Mr. Padma Deo Narayan, Adv.

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

3      14-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Ekma P.S. Case No. 01 of 2013 instituted for the offence under Sections-353, 427 & other minor Sections of the Indian Penal Code.

It has been submitted that petitioners have clean antecedent. There is general and omnibus allegation against them. It has been submitted that several persons have applied for electric connection vide Annexure-2 series and have deposited requisite fee for the year, 2002 for electrification work in the village and accordingly, receipts were



issued by the Electricity Department. Villagers have also filed public petition before the District Magistrate, Saran stating therein that they have decided to organize Dharna near Electric Sub Station, Ekma (Annexure-4) and thereafter, Dharna was conducted on 22-02-2013 and the Junior Engineer and Block Development Officer came after conclusion of Dharna and upon their assurance that electrification work shall be completed and FIR shall be withdrawn, Dharna was withdrawn vide Annexure-5.

Counsel for the North Bihar Power Distribution Company Ltd. has appeared and opposed the prayer.

In the written report itself, there is general and omnibus allegation against these petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Ekma P.S. Case No. 01 of 2013 to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Saran subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

**(Sanjay Priya, J)**

A.K.V./-

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