

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14928 of 2017

Arising out of PS.Case No. -15 Year- 2016 Thana -CHEWRA District- SEKHPURA

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Deepak Kumar, son of Sri Hardeo Prasad, resident of Chakandra, P.S.
Chewara, Distt. - Sheikhpura, Bihar

.... Petitioner/s

Versus

1. The State of Bihar

2. The South Bihar Power Distribution Company Limited

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sudha Chandra, Advocate

For the O.P. No. 2 : Ms. Namrata Mishra, Advocate

For the State : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 01-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Chewara P.S. Case No. 15 of 2016, registered for the offences
punishable under Section 379 of the Indian Penal Code and
Section 135 of the Electricity Act, 2003.

Allegation against the petitioner is theft of electrical
energy.

It has been submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case by the informant
with ulterior motive.

Heard learned counsel for the South Bihar Power
Distribution Company Limited who has opposed the prayer for
bail and she has conceded the fact that the metre was in the name
of brother of the petitioner.



Having heard both sides and in view of the submissions aforesaid, let the petitioner, named above, in the event of arrest or surrender before the court below within a period of six weeks, be released 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 learned S.D.J.M., Sheikhpura in connection with Chewara P.S. Case No. 15 of 2016, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

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; and
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

Accordingly, with the above observations, the prayer for bail is allowed.

(Vinod Kumar Sinha, J)

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