

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46892 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -JAYRAMPUR District- SEKHPURA

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Ajit Choudhary, Son of Yugal Kishore Choudhary, Resident of Village-
Madarichak, P.O. Teus, P.S.- Jairampur, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mr. Ramasharay Ram Joiner Engineer, Electric City Department
Electric Supply Branch Barbiga through South Bihar Public
Distribution Company Limited (S.B.P.D. CL).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocaate
For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 11-10-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Jairampur P.S.

Case No. 10 of 2017 instituted for the offence under Section 379
of the Indian Penal Code.

As per written report, the petitioner was committing
electricity theft by making illegal connection through L.T. line. It
is alleged that 7 meters of wire was recovered from the house of
the petitioner. It is mentioned in the written report that total loss
occurred to the Government amounting to Rs.1,37,195/-. In the
inspection report, there is no mention that on what basis, the
informant has assessed the loss amount.

This Court finds that total arbitrary assessment has



been made by the investigating team.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Jairampur P.S. Case No. 10 of 2017, he shall be released on anticipatory 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-3rd, Sheikhpura, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner 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 petitioner and (3) if petitioner tampers 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 petitioner.

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(Sanjay Priya, J)

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