

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55089 of 2018

Arising Out of PS. Case No.-358 Year-2018 Thana- SHASTRINAGAR District- Patna

Ramesh Kumar Son of Sattan Prasad Resident of Gaighat (Guljarbag), P.S. Alamganj, District- Patna. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Shankar Tiwary, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Learned counsel appearing on behalf of the petitioner submits that Sections 279, 287 and 427 of the Indian Penal Code are bailable whereas under Section 139 of the Electricity Act, 2003 there is no provision for jail and only punishment is fine.

In that view of the matter, the present application for anticipatory bail is thoroughly misconceived. The apprehension of arrest of the petitioner is misconceived. In the case of bailable offence bail is available as a matter of course and in the case where there is no provision for jail, the application for anticipatory bail is misconceived and not maintainable.

With the aforesaid, the application stands disposed of.

(Anil Kumar Upadhyay, J)

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