

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59128 of 2018

Arising Out of PS. Case No.-281 Year-2017 Thana- JAGDISHPUR District- Bhagalpur

Hemlal Mahto, Son of Motilal Mahto, Resident of Village- Taranari Chotbakaridih Tola, Police Station- Chandrapura, District- Bokaro (Jharkhand), Pin- 828403. At present working as Manager, Techoculture Building Centre Pvt. Ltd. Known as Vastu Vihar, 2nd Floor, Ganpati Complex, Patal Babu Road, P.S.- Kotwali, District- Bhagalpur, Bihar- 812001.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar Electricity Board through South Bihar Power Distribution Corporation.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Adv.
For the Opposite Party/s : Mr. Vinay Kirti Singh, Sr. Adv.
Mr. Vijay Kr. Verma, Adv.
Mr. Akhileshwar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 08-10-2018 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Jagdishpur P.S. Case No. 281 of 2017 registered for offences under sections 419 and 420 of the Indian Penal Code.

In the present case, an allegation has been made that the Informant had given Rs. 5,000/- to the accused for electric connection, later on, it was communicated to her that proper power connection has been provided, when a raid was conducted, it was found that the accused had fraudulently given an assurance of correct meter and, for that, the Informant had to



pay a sum of Rs. 75,000/-.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Hemlal Mahto, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on provisional bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No. 281 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

The petitioner is directed to pay Rs. 35,000/- to the Informant within a period of one month from today. If the petitioner pays Rs. 35,000/- to the Informant, which will be verified by the court below, in that event, the provisional bail granted today will be confirmed.

(Shivaji Pandey, J)

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