

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75065 of 2018

Arising Out of PS. Case No.-237 Year-2014 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Baiju Pandey @ Baiju Kumar Pandey, Son of Late Sanphi Pandey, Resident of Village- Balwa, P.S.- Pipra, District- East Champaran at present Government Electrician, Chhatauni Feeder, Motihari.
 2. Naresh Pandey @ Naresh Das, Son of Late Mahesh Das, Resident of Village- Bada Bariyarpur, P.S.- Chhatauni, District- East Champaran.
 3. Sushil Kumar, Son of Late Banwari Prasad, Resident of Village- Bhawanipur Zirat, P.S.- Chhatauni, District- East Champaran.
 4. Arun Kumar @ Arun Kumar Amar, Son of Ram Parvesh Rajak, Resident of Manaddi Nagar, P.S.- Mahaddi Nagar, District- Sitamarhi, posted as Electrical Engineer.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj
For the Opposite Party/s : Mr. Sri Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Trial No. 2279 of 2017 arising out of Complaint Case No.237 of 2014 for the offence under Sections 406, 420 and 504, of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners No. 2 and 3 have no criminal antecedent. Referring to the instant case, he submits that allegation is that they have



disconnected the electricity connection and demanded rupees two lacs and on deposit of Rs.6000/- they have restored the electricity connection. Further allegation is that they have issued receipt of Rs. 2900/- instead of Rs.6000/-.

Considering the fact that the incident is of year 2013 whereas the complaint was filed in the year 2014 and also the fact that petitioner No. 2 and 3 have no criminal antecedent, let the petitioners No. 2 and 3 above named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court of learned A.C.J.M. Patna City in connection with Trial No. 2279 of 2017 arising out of Complaint Case No. 237 of 2014 subject to the conditions as laid down under Section 438 Cr.P.C.

So far as petitioners No. 1 and 4 are concerned, there are certain cases pending against them, the Court is not inclined to grant indulgence to the petitioners No. 1 and 4. Accordingly, application for grant of anticipatory bail is hereby dismissed. However, the dismissal of the anticipatory bail application will not cause prejudice to the petitioners No. 1 and 4 and in the event, the petitioners No. 1 and 4 surrender before the Court



below and prays for regular bail, the Court below is hereby directed to dispose of the application for regular bail of the petitioners No. 1 and 4 on the same day in accordance with law without being influenced by dismissal of this application.

(Anil Kumar Upadhyay, J)

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