

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58445 of 2018

Arising Out of PS. Case No.-211 Year-2017 Thana- RAXAUL District- East Champaran

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Rajeshwar Sah @ Rajeshwar Prasad S/o Yadolal Sah, R/o Vill.- Gonha, P.S.-
Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Madhukar Banmali, Junior Electric Engineer, Electric Supply Branch Raxaul,
Rural, P.S.- Raxaul, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 17-12-2018

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Raxaul P.S. Case No. 211 of 2017 dated 01.02.2018 instituted
under Sections 379, 341, 342, 353, 323, 504, 506 and 34 of the
Indian Penal Code.

3. The allegation against the petitioner is of illegally
drawing electric power and also of not allowing the officers to cut
the same and holding them hostage for an hour and also
threatening the officers not to come to the village again. It has



further been alleged that the loss to the Electric Department was of Rs. 25,000/-.

4. Learned counsel for the petitioner submitted that without going into the merits, he has deposited Rs. 25,000/- as has been assessed by the officers being the value of the loss caused.

5. Learned counsel for the opposite party no. 2 does not deny the fact that the petitioner has deposited the assessed value of the loss/theft.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Raxaul P.S. Case No.211 of 2017, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the



bonds or the undertaking shall lead to cancellation of his bail
bonds.

(Ahsanuddin Amanullah, J)

Nasimul/-

AFR/NAFR	
CAV DATE	
Uploading Date	18-12-2018
Transmission Date	18-12-2018

