

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30912 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- GARAUL District- Vaishali

Mostake Ahmead @MD. Mustaque Ahmad @ Md. Mustaque, S/o Rahman,
R/o Vill. and Post- Husena Khurd, P.S.- Goraul, District- Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-06-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Goraul P.S. Case No.
13 of 2018, instituted for the offence under Section 135 of the
Electricity Act.

There is allegation in the written report that petitioner
was found committing electricity theft causing loss of Rs.
43,400/- of the Electricity Department.

This petition is disposed off with the direction that
petitioner is directed to deposit an amount as mentioned in the
written report in ten installments.

In such circumstances, the petitioner is directed to
surrender before the court below in connection with Goraul P.S.
Case No. 13 of 2018, to the satisfaction of the learned
Additional Chief Judicial Magistrate- I, Vaishali at Hajipur,



within a period of six weeks from the date of receipt of the order, alongwith receipt showing payment of first installment of Rs. 4,500/- and in that event the court below will release the petitioner on provisional anticipatory bail for a period of ten months on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to its own satisfaction, subject to condition as laid down under Section 438(2) of the Cr.P.C. with further conditions (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 bonds of the petitioner and (3) if the 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.

Thereafter, petitioner will make payment of remaining amount in nine equal installments within a period of ten months and after depositing the entire amount his provisional bail will be confirmed.

Aforesaid payment made by the petitioner shall be subject to final decision of the case.

It is made clear that in the event, petitioner fails to



deposit single installment, his bail bond will liable to be cancelled.

(Sanjay Priya, J)

khushbu/-

U		T	
---	--	---	--

