

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27892 of 2019

Arising Out of PS. Case No.-295 Year-2018 Thana- AKBARPUR District- Nawada

Karu Yadav @ Karu Prasad Yadav, aged about 48 years, G- Male, S/o Late
Bhola Yadav Resident of Village-Asma, P.S-Akbarpur, District-Nawadah

... .. Petitioner

Versus

1. The State of Bihar
2. South Bihar Power Distribution Co. Ltd. Bailey Road, Patna-1 Patna.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Hansraj, Advocate
For the State	:	APP
For Opp. Party No. 2	:	Mr. Vinay Krit Singh, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 135 of the Bihar Electricity Act, 2003 registered in connection with Akbarpur P.S. Case No. 295 of 2018.

3. It is submitted that the petitioner has been falsely implicated as evident from the very fact that except belt of motor, no incriminating article has been seized from the possession of the petitioner which therefore belies the accusation that he was running Atta Chakki (flour mill) by committing theft of electricity. It is submitted that the petitioner has got 3 H.P. connection for the purpose of agriculture and there is no Atta Chakki in his campus. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the South Bihar Power Distribution Company Limited opposes the anticipatory bail petition.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge Electricity, Nawada in connection with Akbarpur P.S. Case No. 295 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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