

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66339 of 2018

Arising Out of PS. Case No.-402 Year-2018 Thana- SUPAUL District- Supaul

Raghunath Thakur, aged about 48 years S/o Buchilal Thakur R/o Village-
Karnpur Chowk Kharail, P.S+District- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shiva Shankar Sharma, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 379 of the Indian Penal Code and Section 135
of the Bihar Electricity Act registered in connection with Supaul P.S.
Case No. 402 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in connection with theft of electricity as he is a domestic
consumer of electricity and has been paying energy bills regularly. It
is submitted that in any event, the petitioner is ready and willing to
make payment of the entire amount of Rs. 54,599/- in appropriate
installments.

4. Be that as it may, having regard to the entirety of the
facts and circumstances of the case, 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 provisional anticipatory bail on furnishing bail bonds
of Rs.10,000/- (ten thousand) with two sureties of like amount each
to the satisfaction of learned Chief Judicial Magistrate, Supaul, in



connection with Supaul P.S. Case No. 402 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. as well as with following conditions –

(i) That provisional anticipatory bail granted to the petitioner shall stand confirmed subject to the condition that the petitioner deposits the amount of Rs. 54,599/- before the North Bihar Power Distribution Company Limited within a period of three months in three equal monthly installments, the first shall be deposited not later than by 15th January 2019.

(ii) That one of the bailors of the petitioner shall be his close relative.

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

(iv) 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.

(v) 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/Chandran

(Vikash Jain, J)

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