

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28151 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- SINGHESHWAR District- Madhepura

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SANJAY KUMAR Son of Ram Naresh Ram @ Ram Tahal Ram, Resident of
Village-Lalpatti/Tulapatti, Ward No.1, P.S.-Pipra, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Arun
For the Opposite Party/s	:	Mr.Raj Kishore Singh
For NBPDC	:	Mr. Dr. Anand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 25-10-2019 This application, for grant of anticipatory bail, arises
out of Singheshwar P.S. Case No. 28 of 2019, disclosing
offences under Sections 406, 409 and 420 of the Indian Penal
Code.

As per F.I.R., allegation against the petitioner is that
he was appointed as village revenue Franchiser to collect
revenue from consumer of electric in Manpur Panchayat and he
was allotted receipt book but the petitioner has not deposited the
collection money with all the DCR to the Department. It is
further alleged that petitioner collected money from hundred of
consumers and the same has not been adjusted in the electricity
bills.

It appears from the order sheet that earlier the



company was directed to file counter affidavit to show the receipts of the bill issued by the petitioner but no counter affidavit has been filed by the department nor any detail has been provided.

Submission of learned counsel for the petitioner is that all the allegations are vague and he has falsely been implicated in this case and it is not clear as to how much money, he has defalcated. Further petitioner has no criminal antecedent and he is ready to abide by any condition imposed on him.

Heard learned A.P.P. as well as learned counsel for the North Bihar Power Distribution Company Limited. They have opposed the prayer of anticipatory bail of the petitioner.

Having heard both sides, considering the facts and circumstances, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Singheshwar P.S. Case No. 28 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



It is further subject to the condition that during investigation, if the company comes with the materials showing thy number of receipt books issued to the petitioner and also as to amount collected by the petitioner from the consumers, which he has not deposited, the petitioner has to deposit the same within a reasonable time, failing which, the prosecution will be at liberty to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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