

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30373 of 2019**

Arising Out of PS. Case No.-156 Year-2018 Thana- RAJAOLI District- Nawada

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1. Satendra Kumar @ Baran S/o Ishwari Prasad R/O village- Pranchak, P.S.- Rajauli, District- Nawada
 2. Jitendra Kumar S/O Ishwari Prasad R/o village- Pranchak, P.S.- Rajauli, District- Nawada

... .. Petitioners

Versus

1. The State of Bihar
2. The Chairman, South Bihar Power Corporation Ltd., Bihar, Patna.
3. The Junior Engineer, Electricity, Rajauli, Nawada, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Ashraf Ansari

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered under Sections 353, 427 and 504 of the Indian Penal Code.

1100 volt high tension wire was passing very close to the house of the petitioners and in the course of construction of the roof, petitioners lifted the high tension wire by means of bamboo and after completion of the construction work when they removed the bamboo the said wire was damaged causing



breakdown of feeder and transformer causing loss of Rs.1,56,000/- to the department.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. They have not intentionally caused the breakdown of feeder and transformer rather high tension wire was passing very close to their house which were lifted by them during the construction of roof and after completion of the construction work when bamboo was removed it was damaged. Petitioners had earlier written to the concerned authorities for removal of the aforesaid high tension wire passing close to their house, but in vain. Petitioners have not committed any theft of electricity. They have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge (Electricity), Magadh Area, Gaya in connection with Rajauli P.S. Case No. 156 of 2018, subject to the condition as



laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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