

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79741 of 2018

Arising Out of PS. Case No.-190 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

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1. Kalika Yadav S/o Nand ji Yadav
 2. Vipin Yadav S/o Ekbal Yadav R/vill-Chhotkibasouli, P.S-Buxar (Ind,)Distt.-Buxar.
 3. Virendra Yadav S/o Late Ram Kumar Yadav R/vill-Barakibasauli P.S-Buxar(Ind),Distt.-Buxar

... .. Petitioner/s

Versus

1. State Of Bihar
2. The Chairman, South Bihar Power Distribution Company L.T.D. Viddutbhawan Bailey Road Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Deo Sharma
For the Opposite Party/s : Mr.Pawan Kumar Chaurasiya

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 139 and 134 of the Electricity Act, registered in connection with Buxar (Ind) P.S. Case No. 190/2018.

3. It is submitted that the petitioners have been falsely implicated in retaliation, and in the backdrop of the application for electric connection for tubewell made by the father of the petitioner no.1 There is no objective material on record to corroborate the averments in the FIR that the villagers had given any application with regard to obstructing the 11KV feeder line by the petitioners, who claim clean antecedents.

4. Learned APP assisted by learned counsel for the OP No. 2 appears and has been heard.

5. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Buxar, in connection with Buxar (Ind) P.S. Case No. 190/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

Chandran/-

(Vikash Jain, J)

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