

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65310 of 2019

Arising Out of PS. Case No.-393 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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1. MANOJ KUMAR SAH S/o Manilal Sah
 2. Raja Kumar S/o Manoj Kumar Sah
 3. Utkarsh Raj S/o Sanjay Kumar Singh
- All are Residents of Village- Damodarpur, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shailendra Kumar s/o Sri Mithila Rai, Electricity Engineer, Damodarpur,
P.S.-Kanti , District-Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-11-2019 The petitioners apprehend their arrest in connection with

Kanti P. S. Case No. 393 of 2019 registered under Sections

323,341,353,504 and 506/34 of the Indian Penal Code.

Allegation against the petitioners is that petitioners along
with other accused persons assaulted the Lineman and other
officials of the North Bihar Power Distribution Company Ltd.
(hereinafter referred to as the ‘Company’) when they had visited
the premises of the petitioners for disconnection of electricity
line due to non-payment of electricity bill.

Learned counsel appearing on behalf of the petitioners
submits that petitioners have falsely been implicated in this case



inasmuch as electric line of the petitioners' house was already disconnected by the Lineman due to non-payment of electricity bill by the petitioner no. 1. He further submits that allegation against the petitioners are simple in nature and no case under Section 353 of Indian Penal Code is made out.

Dr. Anand Kumar Sinha, learned counsel appearing on behalf of the Company, on the other hand, vehemently opposes the prayer for anticipatory bail and submits that petitioners disturbed and prevented the officials of the Company in discharge of their official duty and created hurdles at the time of disconnection of electric line as such they do not deserve the privilege of anticipatory bail.

Having regard to the submissions made by the parties and taking into consideration the fact that electric line of the petitioners has already been disconnected by the officials of the Company, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned



Spl. Judge, Excise Act, Muzaffarpur in connection with Kanti
P.S.Case No. 393 of 2019; subject to condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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