

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62055 of 2019

Arising Out of PS. Case No.-90 Year-2019 Thana- BAUSI District- Purnia

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Md. Murshid @ Md. Murshid Alam, aged about 40 years, gender- male, son of Md. Muslim Alam, resident of Village- Majhwa, P.S.- Baisi, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The North Bihar Power distribution company Limited, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Akhileshwar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-10-2019 The petitioner apprehends his arrest in connection with the Baisi P.S. Case No. 90 of 2019 registered under Sections 353 and 427 IPC.

The allegation against the petitioner is that the petitioner being the contractor shifted the electric pole of 11 KV line from the premises of one Md. Junaid. It has further been alleged that due to illegal act of the petitioner a loss of Rs. 65000/- has been caused to the Power Distribution Company i.e. NBPDCCL.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as the villagers requested the officials of the Electricity



Department to shift the electric pole to another place but for the obvious reason the same was not being done by the official of the Electric Department and complaint was made by the petitioner and the co-villager to the higher authority. Learned counsel further submits that he is ready to deposit a sum of Rs. 65000/- in Court within a period of six weeks with the condition that the same will abide by the final out come of the case.

The offer made by learned counsel for the petitioner is accepted by learned counsel appearing for the NBPDCCL.

Having regard to the submission made by the parties and taking into consideration the fact that the petitioner is a contractor and he is ready to deposit a sum of Rs. 65000/- i.e. loss incurred by the NBPDCCL, subject to final outcome of the case, I am inclined to to grant anticipatory bail to the petitioner, subject to the condition that he will deposit a sum of Rs. 65000/- before the Court below within a period of six weeks and the amount so deposited by the petitioner shall be subject to the final outcome of the Baisi P.S. Case No. 90 of 2019

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of six weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.



10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sri Praveen Kumar Singh, learned C.J.M. Purnea in connection with Baisi P.S. Case no. 90 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

It is made clear that the petitioner shall attach the proof of depositing a sum of Rs. 65000/- before the Court below at the time of furnishing bail bond.

(Anil Kumar Sinha, J)

Anjula/-

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