

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68201 of 2018

Arising Out of PS. Case No.-256 Year-2018 Thana- DINARA District-
Rohtas

=====

Arbind Kumar Pandey Son of Gulicharan Pandey, Resident of Village-
Janki Nagar, Belwaiya, P.S. Dinara (Bhanas O.P), District- Rohtas.

... .. Petitioner

Versus

1. State Of Bihar
2. The Junior Engineer Electricity Supply Unit Dinara, through South Bihar
Power Distribution Company Ltd. Bidhut Bhawan, Patna

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Anis Akhtar, Advocate.
For the State : Mr. Ganesh Prasad Singh, APP
For the O.P. NO. 2 : Ms. Namrata Mishra, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 25-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 379 of the Indian Penal Code and Section
135 of the Electricity Act registered in connection with Dinara
(Bhanas O.P.) P.S. Case No. 256 of 2018, G.R. No. 851 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and the specific stand has been taken in paragraphs- 7
to 9 of the petition that the premises raided by the informant and
his team are part of Pandit Brahmdev Private ITI which is
affiliated with effect from August, 2013 with the Director General
of Employment and Training, Ministry of Labour and
Employment, Government of India and has its own transformer
and electric meter. It has been stated that there is no Oxford
Academy as stated in the F.I.R. running at the address given
therein.



4. Learned for the O.P. No. 2 appears. Despite sufficient time having been granted by orders dated 14.12.2018 and 01.02.2019, no counter affidavit has yet been filed.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bikramganj, District- Rohtas in connection with Dinara (Bhanas O.P.) P.S. Case No. 256 of 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 petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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