

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65248 of 2019

Arising Out of PS. Case No.-227 Year-2019 Thana- LAXMIPUR District- Jamui

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Damodar Yadav aged about 20 years (M), S/o Gobind Yadav @ Govindra
Yadav, R/o village- Rageniya, P.S.- Laxmipur, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Raj, Adv.

For the Opposite Party/s : Mr. A. L. Pandit, APP.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Laxmipur P.S. Case No. 227 of 2019 registered under
section 427 of the Indian Penal Code and Section 3/4 Prevention
of Damages to Public Property Act.

The allegation against the petitioner is that the
petitioner was cutting a palm tree which fell upon 33 KV line
due to which there was disturbance in the electricity supply and
four poles and DP Channel belonging to SBPDCL have also
been damaged causing loss of sum of Rs. 65,000/- to the
Distribution Company.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has not committed any



offence in the manner alleged. Learned counsel further submits that in fact the land upon which the palm tree was situated does not belong to the petitioner and the petitioner is daily wage earner, who was given the job to cut the tree and in the process of the same, a Palm tree fell upon 33 KV line which was not intentional on the part of the petitioner.

Having regard to the submissions made by the parties and taking into consideration the fact that the petitioner is a labourer, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.K. Raj J.M 1st Class Jamui in connection with Laxmipur P.S.Case No. 227 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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