

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75224 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- FULKAHA District- Araria

Deep Chand Yadav @ Deep Narain Yadav @ Deep No Yadav, Male, aged about 50 years, Son of Late Bechan Yadav Resident of Village-Bhavanipur, Ward No.06, P.S-Fulkaha, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. North Bihar Power Distribution Company Limited through its Managing Director, Vidyut Bhawan, Patna. Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking bail in connection with Fulkaha P.S. Case No. 49 of 2019 registered for offences under sections 341, 323, 353, 504, 506/34 of the Indian Penal Code.

As per allegation, when the Informant reached at the premises of flour mill of Smt. Sanjha Devi and asked to pay the dues of electricity bill amounting Rs. 1,16,773/-, she, her son and her husband, the present petitioner, became angry and started misbehaving and abusing the Informant and his staffs. An allegation has been made against them of causing injury by



Lathi.

The petitioner is in custody since 6.8.2019.

Learned counsel for the petitioner submits that the petitioner is ready to deposit the entire arrear of bill within a period of six months from today.

Looking to the aforesaid undertaking given by the learned counsel for the petitioner, let the petitioner, above named, be released on provisional bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria in connection with Fulkaha P.S. Case No. 49 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Fulkaha police station by 7th of every month for at least six months and in case of failure without any valid rhyme



or reason, the bail of the petitioner will be treated to have been canceled.

It is made clear that if the petitioner fails to deposit the entire arrear of bill within a period of six months from today, the provisional bail, granted today, will be treated to have been withdrawn.

If the petitioner files an application before the competent authority, it goes without saying that the competent authority will serve actual arrear of bill to the petitioner.

(Shivaji Pandey, J)

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