

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 74971 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

RAM SURESH SHARMA @ SRI RAM SURESH SHARMA Son of Musafir
Sharma Resident of Village - Police Line, Main Road, Mahadah, P.S.- Buxar
(M), District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Managing Director, South Bihar Power Distribution CO Ltd. Patna.
Bihar

... .. Opposite Party/s

For the Petitioner/s	:	Mr Bachan Jee Ojha, Advocate
For the State	:	Mr Mohammed Arif, APP
For Opposite Party No 2	:	Mr Ajay Kumar Gautam, Advocate

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for Opposite Party No 2.

Petitioner apprehends arrest in a case registered under
Section 135 of Electric Act.

It is submitted by petitioner's counsel that the bona fides of the petitioner are apparent from the fact that on 21.01.2019 itself, petitioner had deposited an amount of Rs 9,324/- for obtaining an electrical connection. The Lineman has also given in writing that in fact connection was done on 16.02.2019 itself. Petitioner has no criminal antecedent. The receipt showing deposit of Rs 9,324/- is brought on record by way of Annexure 2.

Learned APP for the State as well as learned counsel



for Opposite Party No 2 have opposed the prayer.

Considering the rival submissions, this Court is inclined to accept the submission of the petitioner's counsel.

Let the petitioner above named, in the event of his arrest or surrender within four weeks from today, shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in Buxar (Mufassil) Police Station Case No 44 of 2019 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code and also the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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