

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66293 of 2018

Arising Out of PS. Case No.-49 Year-2018 Thana- MANSI District- Khagaria

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Mukesh Kumar Son of Badri Bhagat, Resident of Village- Chak Hussaini,
Ward No. 8, P.S. Mansi, District- Khagaria.

... .. Petitioner/s

Versus

1. State Of Bihar
2. North Bihar Power Distribution Company, Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Abdul Manan Ali, Adv
For the OP No.2	:	Mr. Vinay Kirti Singh, Sr.Adv
		Mr. Vijay Kumar Verma,Adv
		Mr. Akhileshwar Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 19-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 135 of the Indian Electricity Act, 2003 registered in connection with Mansi P.S. Case No. 49 of 2018/G.R. No. 649/2018.

3. It is submitted that the petitioner has been falsely implicated as evident from the very FIR wherein it has been stated that the petitioner's electric meter has been disconnected on 31.08.2016 on default of payment whereas, about one and half years later when the FIR has been instituted the meter had been found in running condition. It is thereby submitted that the accusation that the petitioner was using electricity by hooking cannot be believed. The petitioner claims clean antecedents.

4. Learned counsel for the OP No. 2 appears and has been heard.

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 CjM, Khagaria, in connection with Mansi P.S. Case No. 49 of 2018/G.R. No. 649/2018, 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 co-operate 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. 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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