

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.107 of 2020

Arising Out of PS. Case No.-21 Year-2019 Thana- EKCHARI District- Bhagalpur

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OPI Mandal S/o Late Singeshwar Mandal R/o village- Tofil, P.S.- Ekchari,
District- Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The State of Bihar through the General Manager, South Bihar Power Distribution Co.Ltd.Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Ajay Kumar Gupta, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under section 135 of Electricity Act, 2003.

Learned counsel for the petitioner undertakes that the petitioner is ready to deposit 10% of total alleged amount i.e. Rs.1,67,370 within a period of four weeks and the rest amount will be paid in three equal installment within a period of six months thereafter. The petitioner has no criminal antecedent.

Learned counsel for the opposite party does not raise objection.

Considering the aforesaid facts and circumstances as well as nature of accusation and fact that the petitioner is ready to deposit 10% of total alleged amount i.e. Rs.1,67,370 within a



period of four weeks from today and the rest amount will be paid in three equal installment within a period of six months thereafter, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Ekchari P.S. Case No. 21 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

However, it is made clear that if the petitioner fails to deposit the amount as per his undertaking, then learned counsel for the O.P. No.2 will be at liberty to file an application for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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