

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15417 of 2020

Arising Out of PS. Case No.-119 Year-2019 Thana- PUSA District- Samastipur

BINDESHWAR SAH S/o Late Lakhan Sah Resident of Village-Maniyari,
P.S.-Sakra, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv.

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-09-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Pusa P.S. Case No.119 of 2019 registered under Sections 379, 411 and 34 of the Indian Penal Code.

The informant, Junior Electric Engineer, Electric Supply Section, Pusa Farm alleged that Oriental Progressive Power was changing electric wire. On 13.11.2019, Priyanshu Kumar, Dharmendra Kumar, Sudhir Ram in connivance with Pramod Kumar cut copper wire weighing about 28.2 kgs. They sold the copper wire to the Kabari shop and on such, raid was conducted. The electric copper wire was recovered from the Kabari shop of the petitioner.

The learned counsel for the petitioner submits that petitioner was not present in the Kabari shop. Petitioner does



not own any Kabari shop situated by the side of the road. From perusal of the seizure list, it would appear that none of the independent witnesses put their signature on the seizure list. The seizure list witnesses are the Site Engineer and Site Supervisor but it appears that 28.2 kgs. electric copper wire, which is not commonly found for common use, was recovered from the Kabari shop of the petitioner.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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