

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18698 of 2020

Arising Out of PS. Case No.-167 Year-2019 Thana- HALSI District- Lakhisarai

Vilayati Ram (M) aged about 65 years, S/o- Lukhri Ram, Resident of Village-
Indupur, P.S.-Barahia, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Prasad Narayan Sahi

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-06-2020 Heard Mr. Parmanand Prasad Narayan Sahi, learned
counsel for the petitioner and learned counsel appearing for the
State through video conferencing.

The petitioner seeks regular bail in connection with
Halsi P.S. Case No. 167 of 2019 (G.R. No. 1424 of 2019)
registered for the offence punishable under Section 139 of the
Electricity Act 2003.

The allegation against the petitioner is that petitioner
being the driver of a truck negligently damaged the electric
supply line causing loss of Rs. 1,98,216/- to South Bihar Power
Distribution Company Limited due to such negligent act.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged.



Learned counsel submits that petitioner being the driver of the truck met with an accident due to mechanical fault thereby causing damage to the electric pole. Learned counsel further submits Section 139 of the Electricity Act 2003 stipulates a fine of Rs. 10,000/- for negligently damaging and breaking materials connected with the supply of electricity. Learned counsel also submits that petitioner is in custody since 23.12.2019. Learned counsel submits that petitioner tried to move before the Special Court, but F.I.R. was not being sent by the court of learned Chief Judicial Magistrate to the Special Court, thus the petitioner approached before this Court against the impugned order.

Having regard to the submissions made by the parties and taking into consideration the facts and circumstances of the case and the fact that that petitioner is in custody since 23.12.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Mahesh Shukla, learned Judicial Magistrate, Lakhisarai in connection with Halsi P.S. Case No. 167 of 2019 (G.R. No. 1424 of 2019) .



It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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