

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75331 of 2019

Arising Out of PS. Case No.-31 Year-2016 Thana- CHOUTARWA District- West Champaran

Umesh Yadav Son of Dukhan Yadav Resident of Village-Bhathaiya, P.S.-
Chautarwa, District-West Champaran ... Petitioner

Versus

1. The State of Bihar
 2. The N.B.P.D. Ltd. through the Junior Electrical Engineer, Electric Division
Chautarwa, Bagaha. Bihar
- Opposite Party

Appearance :

For the Petitioner	:	Mr. Bimlesh Kumar Pandey, Advocate Mr. A K Singh, Advocate
For the State	:	Madhuri Lata, Addl Public Prosecutor
For the opposite party no.2:	:	Mr. AK Ojha, SC, AK Karna, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 13-02-2020 Heard learned counsel for the petitioner as well as
learned counsel for the other side.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 420/34 of the Indian Penal Code.

Informant, who is Junior Engineer of the Electricity Department, alleges that the petitioner and co-accused Shagir Ahmed illegally collected money in the name of providing electricity connection to the people of the area.

Learned counsel for the petitioner submits that the allegation is general and omnibus in nature and in fact it was the informant who was demanding some money for installation of electric pole which was opposed by the petitioner. Further, the allegation of collection is against co-accused Shagir Ahmad. No case under section 420 Indian Penal Code is made out as there is no cheat of paper to prove that the petitioner made aforesaid illegal collection. Petitioner has got no criminal antecedent.



Considering the facts of the case, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released 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 JM 1st class, Bagaha, West Champaran in Chautarwa Police Station Case No. 31 of 2016, 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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