

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 65893 of 2019

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

Sagir Miyan @ Sagir Ahmad, Male, aged about 28 years, Son of Lal Mohammad, Resident of Village- Khap Tola, Barwa, P.S.- Lauriya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The North Bihar Power Distribution Company Ltd., Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
		Mr. Rahul Nath, Advocate
For SBPDCL	:	Mr. Kunal Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioner, the informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Chautarwa (Bathwariya) P.S. Case No. 31 of 2016 registered for the offence punishable under Section 420/34 of the Indian Penal Code.

On the basis of an information of one Dipak Kumar, Junior Electrical Engineer, Electric Supply Section Chautarwa this cse has been instituted on 30.01.2016. He has stated therein that on the information of one Shyam Kumar Patel an inspection has been made. During the course of inspection, the villagers have stated that on the name of Electric Pole and meter and



electrification the petitioner and others have demanded some money. This is an abstracle to complete the electric work.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is a local social worker. He used to take interest in the development of the locality. Electrification work is going on in the village and he found some discrepancy in the electrification work. For this, he opposed and he became enemy in the eyes of authority and their persons. He further submits that there is no chit of paper for the alleged transaction. The petitioner has been made an accused in the present case by the officials only due to the reason that he being a social worker opposed the electrification work done by the officials was not up to mark.

Learned counsel for the Electricity Board stated that the petitioner has taken Rs.100 to 300 from the villagers, which fact has been recorded in the case diary.

In the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, subject to the condition that the petitioner is agreed to deposit Rs.8,000/- in the court/Nazarat and on deposit of the aforesaid amount, in the event of his arrest or surrender before the court below within six



weeks from the date of communication of this order, the court below shall release the petitioner on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate Ist Class, Bagaha, West Champaran (Bettiah) in connection with Chautarwa (Bathwariya) P.S. Case No.31 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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