

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4907 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- PHULWARIYA District- Gopalganj

RAKESH SINGH @ RAKESH KUMAR SINGH Son of Sudama Singh
Resident of Village - Kalyanpur- Mangha, P.S.- Fulwaria (Sri pur O.P.),
District- Gopalganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Pritam Kumar Banti (J.E. Electricity Supply Section, Phulwaria, Gopalganj)
through the Managing Director North Bihar Power Distribution Company
Limited, Patna (Earlier it was the Bihar State Electricity Board, Patna)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shubhesh Pandey
For the Respondent/s : Mr. Prakash Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 06-01-2020 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
SC/ST Act against the refusal of prayer for anticipatory bail vide
order dated 23.09.2019 passed by learned 1st Addl. Sessions
Judge, Gopalganj, in connection with Fulwaria P.S. Case No.
129 of 2019, registered under Sections 341, 323, 353, 506 and
504/34 of the Indian Penal Code and Section 3(i)(r), 3(R)(V)(a)
of the SC/ST Act.

Accusation is that informant Pritam Kumar Banti,
being the Junior Engineer in electricity department posted at
Fulwariya was in the filed for maintenance of the feeder for



supply of electric power. At that time, he received call from mobile No. 6005254181, who introduced himself as Rakesh Singh (Appellant) and inquired about non-supply of electricity, then he replied that due to heavy rain and falling of trees the feeder has been damaged and repair work is going on, thereafter, he became furious and asked to come with hundred people due to fear, informant sent all the line men for maintenance of feeder, where one line man, namely, Vinay Kumar Mishra surrounded by the mob.

Learned counsel appearing on behalf of appellant submits that it would appear from the F.I.R. that none had sustained the injury. Further submission is that, in fact, the appellant had talked on mobile due to non-supply of electricity, but informant did not give any reply and started to abuse and lodged this case only to put undue pressure. The appellant has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st



Addl. Sessions Judge, Gopalganj in connection with Fulwaria
P.S. Case No. 129 of 2019, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and
appeal is allowed.

(Rajendra Kumar Mishra, J)

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