

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.661 of 2020

Arising Out of PS. Case No.-227 Year-2019 Thana- BELHAR District- Banka

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1. Gangi Devi @ Gango Devi Wife of Ravindra Prasad Singh Resident of Village- Kumrel, P.S.- Belhar, District- Banka.
 2. Rupam Kumari Wife of Rajesh Kumar Resident of Village- Kumrel, P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rohit Kumar, Junior Electrical Engineer, Electric Supply Branch, Belhar, Banka. Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amrendra Kumar Jha, Advocate
For the O.P. No. 2	:	Mr. Ajay Kumar Gautam, Advocate
For the Opposite Party/s	:	Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-02-2020 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in **Belhar P.S. Case No. 227 of 2019 (G.R. No. 2138/19)**, registered for the offence punishable under Sections 341, 323, 324, 353, 504, 506 and 34 of the Indian Penal Code and section 135 Electricity Act, 2003.

The informant is Junior Electrical Engineer, Electricity Department, Belhar. The informant alleged that during course of inspection, it was found that one Rajesh Kumar was using electricity without any valid electric connection and



thereafter, the informant made fine of Rs. 85,938/- to the accused Rajesh Kumar. Petitioners are alleged to have assaulted one of the members of raiding party with Chaku and Churi and also obstructed the informant and his officials from discharging official duty.

It is submitted on behalf of petitioners that petitioners have falsely implicated in this case. Rajesh Kumar who is named in the FIR, has already deposited Rs. 60,000/- out of Rs. 85,938/-. Receipt of Rs. 30,000/- paid by Rajesh Kumar is annexed as Annexure-2 and this fact is also not disputed by the counsel for Opposite party no. 2. Co-accused Rajesh Kumar has already been granted bail by the court below itself.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail 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 **Chief Judicial Magistrate, Banka** in connection with **Belhar P.S. Case No. 227 of 2019 (G.R. No. 2138 of 2019)**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further



conditions:-

(i) The petitioners 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

vinita/-

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