

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85582 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- MOTIPUR District- Muzaffarpur

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1. BINOD KUMAR @ BINOD RAI @ SHRI BINOD RAI, Son of late Yadav Lal Rai @ Yado Lal Ray (Mukhiya Pati Panchayat Raj Morsandi)
 2. Rabindra Kumar @ Rabindra Rai @ Shri Rabindra Rai, Son of Binod Kumar @ Binod Rai @ Shri Binod Rai
 3. Pappu Rai @ Shri Pappu Rai, Son of Pramod Rai
 4. Babu Sahab @ Shri Babu Sahab @ Babu Saheb, Son of Late Shankar Rai All resident of Village- Morsandi, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The North Bihar Power Holding Distribution Company, Ltd. Bihar
3. The Junior Engineer, Electric Supply Division Motipur P.S. Motipur, District- Muzaffarpur. Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	: Mr.Bhavesh Kumar, Adv.
For the Respondent S.B.P.D.C. Ltd.	: Mr. Vinay Kirti Singh, Sr. Adv. Vijay Kumar Verma, khileshwar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 341, 323, 504, 353/34 of the Indian Penal Code.

The prosecution case is that on 14.03.2019 at 11:00 A.M., electrification work was carried out in village Morsandi



near the house of Mukhiya when petitioners and other villagers asked to stretch the high tension wire at least on pole of 9 metre due to dense population of the area as a result of which some altercation took place between contractor and petitioners and thereafter present F.I.R. was lodged on false and concocted grounds.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Motipur P.S. Case No. 120 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable



reason will be sufficient to cancel their bail bond.

(3) If the petitioners tampers 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.

(S. Kumar, J)

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