

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16272 of 2020**

Arising Out of PS. Case No.-714 Year-2019 Thana- SUPAUL District- Supaul

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BUDHAN RAM Son of Sukan Ram, Resident of Village - Gaurabgadh, Ward No.4, P.S. and Distt - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Asst. Engineer, North Bihar Power Holding, Electricity City Bihar.

... .. Opposite Party/s

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**Appearance :**

|                            |                       |
|----------------------------|-----------------------|
| For the Petitioner/s :     | Mr.Sunil Srivastava   |
| For the Opposite Party/s : | Mr.Abhay Kumar Roy    |
|                            | Mr. Vinay Kirti Singh |

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY**

ORAL ORDER

2      06-12-2021                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

In this case, the petitioner apprehends his arrest in connection with Supaul P.S. Case No. 714 of 2019 registered for the offences punishable under sections 461, 379 of the Indian Penal Code.

As per FIR, some unknown persons committed theft of two transformers of 11 KV and 33 KV and of the batteries.

Learned counsel for the petitioner has submitted that FIR has been lodged against unknown persons and nothing has been recovered from the possession of the present petitioner, who is a mechanic and no evidence during the course of



investigation has been emerged against him. In paragraph 3 of the bail application, the petitioner has mentioned that there is no criminal antecedent against him.

Considering the aforesaid facts and circumstance of the case, let the petitioner above named, in the event of his arrest or surrender, within six weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 714 of 2019, subject to condition as laid down under section 438(2) Cr. P.C., but before accepting the bail bonds filed by the petitioner, the learned court below is directed to ensure that the averment made in paragraph 3 of the bail application that he has no criminal antecedent, is true or not.

**(Nawneet Kumar Pandey , J)**

Mahesh/-

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