

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16252 of 2020

Arising Out of PS. Case No.-279 Year-2019 Thana- KADWA District- Katihar

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Ramesh Kumar @ Ramesh Kumar Mandal, Son of Late Luxman Mandal
Resident Of Village - Kursel, P.S.- Kadwa, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar Electricity Board, Patna through its the Managing Director, North Bihar Power Distribution Company LTD. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Md. Musowir- Advocate
For the Electricity Board :	Dr. Anand- Advocate
For the Opposite Party/s :	Ms. Anita Kumari Singh- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-10-2021 Heard Mr. Md. Musowir, the learned Advocate for the petitioner, Dr. Anand, learned counsel for the Electricity Board and Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Kadwa P. S. Case No.279 of 2019, instituted for the offences under Sections 341, 323, 353, 504, 506 of the Indian Penal Code.

The learned counsel for the petitioner submits that the informant, who is a Junior Engineer in the Electricity Department, has alleged that he had sent some officials at the house of the petitioner for realization of Rs.5716/-, which was due to him as electricity dues, but the petitioner tried to assault



one Bilash Kumar Rai, who was sent by the Junior Engineer, by *farsa* with intention to kill him.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated only with a view to extract money from him and submits that if there was any electricity dues, there was absolutely no occasion for the Junior Engineer to send any of his employees for realizing the said dues from the petitioner. He could have disconnected the electricity for want of payment. That not being done so, amply demonstrate that the lower rank officials of the electricity department were sent to the house of the petitioner for some ulterior motive. Though there is an allegation of assault, but the F.I.R. itself records that Bilash Kumar Rai managed to save himself.

The learned A.P.P. for the State vehemently opposes the bail application.

Considering the facts and circumstances of the case and prima facie concurring with the submission of the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned C.J.M., Katihar in connection with
Kadwa P. S. Case No.279 of 2019, subject to the conditions laid
down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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