

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5133 of 2021

Arising Out of PS. Case No.-80 Year-2014 Thana- RANIYATALAB District- Patna

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1. YOGENDRA PASWAN S/o Dowarika Paswan R/o village- Lathar, P.S.- Rani Talab, District- Patna
 2. Bhanti Paswan @ Arbind Paswan S/o Dowarika Paswan R/o village- Lathar, P.S.- Rani Talab, District- Patna
 3. Photo Paswan @ Shiv Kumar Paswan S/o Lakhan Paswan R/o village- Lathar, P.S.- Rani Talab, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Junior Engineer, Electricity Board Bikram, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-07-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 147, 149, 323, 337, 353, 379, 307 of the Indian Penal Code and Sections-135 & 138 of Electricity Act.

Allegedly, the accused persons unauthorizedly consumed electric energy, which caused loss of revenue and assaulted the



officials who had gone for inspection.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. General and omnibus allegation of assault has been made against the petitioners. No specific overt act is alleged against the petitioners. So far allegation of theft of electric energy is concerned; the penalty amount has already been deposited by co-accused Ramayan Paswan and Dhurkheli Paswan. The other co-accused with similar allegation has been granted bail vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of Shri P. K. Malviya, learned Judicial Magistrate-Ist Class, Danapur at Patna in connection with Rani Talab P.S. Case No. 80 of 2014 subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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