

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12556 of 2022

Arising Out of PS. Case No.-14 Year-2018 Thana- DAUDPUR District- Saran

Bhola Singh, S/O Late Mayanand Singh R/O Village- Harpur, P.S.- Ekma,
District- Saran At Chhapra

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Bardhan Pandey
For the State	:	Mr. Ajit Kumar
For the N.B.P.D.C.	:	Mr. Vinay Kirti Singh-GA-2
		Mr. Vijay Kumar Verma
		Mr. Akhileshwar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-09-2022 Heard learned counsel for the petitioner, learned
counsel for the N.B.P.D.C. and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 420,
406 and 408 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant,
who is an Assistant Electrical Engineer, alleges that petitioner
was doing work of franchise under Electricity Department of
Daudpur Branch since March, 2016, but on account of
complaints and carelessness, the agreement of the franchise was
terminated in August, 2017. It is next alleged that on



27.01.2018, two money receipts were found in which receipt of Rs.2,000/- and Rs.1721/- were issued by the petitioner, but only Rs.200/- and Rs.721/- were deposited in the department, hence, the petitioner misappropriated an amount of Rs.2800/-.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is next submitted that there is an inordinate delay in instituting the F.I.R. It is also submitted that since franchise was terminated, as such, there was absolutely no occasion for the petitioner to collect the electricity bill from the consumer. It is also submitted that the authority before instituting an F.I.R. should have sought an explanation from the petitioner to explain his side of the case.

The learned Assistant Counsel for the NBPDC opposes the bail application, but is not able to meet the submission of the learned counsel for the petitioner that the F.I.R. came to be instituted after an inordinate delay of 05 days.

Considering the submissions made by 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 six 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 the learned Court below where the case is pending in connection with Daudpur P. S. Case No.14 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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