

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23632 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- GAYA KOTWALI District- Gaya

Nagendra Paswan @ Nagendra Kumar Paswan Son of Late Raghunandan Paswan @ Late Raghunandan Prasad Resident of Mohalla Bangla Asthan, Pahsi, Old Water Tank, Baniyan Tree, P.S.- Kotwali, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arvind Kumar Singh, Advocate
For the State	:	Mr. Mohammad Sufyan, APP
For SBPDCL	:	Mr. A.K. Ojha, Standing Counsel

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2022 Heard Learned for the petitioner and learned APP for the State. Nobody appears on behalf of South Bihar Power Distribution Company Limited (SBPDCL) when the case is called out.

Learned counsel for the petitioner is directed to implead the South Bihar Power Distribution Company Limited (SBPDCL) as O.P. No.2 in the present case in course of the day.

The Court requested Mr. A.K. Ojha, learned counsel for the SBPDCL to assist in the present case and heard him also.

The petitioner apprehends his arrest in connection with Kotwali P.S. Case No.66 of 2022, registered for the offences punishable under Sections 341, 323, 504, 427 and 353 of the Indian Penal Code and Section 153 of the Indian



Electricity Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the petitioner has to pay Rs.1,48,296/- to the Electricity Department and he is ready to pay 50% of the due amount at the time of furnishing bail bond and the rest amount shall be paid in four equal monthly installments.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on **provisional anticipatory bail for a period of four months** from his release on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Electricity), Magadh Area, Gaya in connection with Kotwali P.S. Case No.66 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the learned court below shall accept the bail bond of the petitioner after verifying the fact that the petitioner has paid 50% of the amount due to be paid to the



Electricity Department. It is also made clear that after four months from the date of release of the petitioner, the court below shall also verify the fact that the rest amount, i.e., 50% of Rs.1,48,296/-, has already been paid to the Electricity Department. If the learned court below finds that the total amount, i.e., Rs.1,48,296/- has been paid by the petitioner to the Electricity Department, the provisional anticipatory bail granted to the petitioner shall be confirmed by the learned court below itself.

(Anjani Kumar Sharan, J)

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