

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34143 of 2021

Arising Out of PS. Case No.-351 Year-2020 Thana- GRIYAK District- Nalanda

SANJAY KUMAR @ SANJAY PRASAD Son of Ramswarup Saw Resident
of Village- Kerua, P.O.- Tetranwan, P.S.- Giriyak (Pawapuri), District-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 135 of the
Electricity Act.

The allegation against the petitioner is that he was
using electricity by bypassing electric meter and caused loss to
the government revenue to the tune of Rs.1,69,300/-.

It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.



He has been falsely implicated in this case. On the seizure list there is no signature of the petitioner nor of any family member nor of any employee. There is also no signature of independent witness. Hence, there is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent. Learned counsel for the petitioner further submitted that the petitioner is ready to deposit the aforesaid amount of Rs.1,69,300.00 in installments for the purpose of granting bail, subject to final outcome of the criminal case pending against him.

Petitioner is directed to deposit Rs.29,300.00 (Rupees Twenty Nine Thousand and Three Hundred) at the time of furnishing bail bond and the rest amount should be paid by him at the rate of Rs.10,000.00 (Rupees Ten Thousand) per month in Court below.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Giriyak (Pawapuri) P.S. Case No. 351 of 2020,



subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The learned Court below is directed to accept the bail bond of the petitioner after showing receipt of deposit of Rs.29,300.00.

If the petitioner fails to abide by his undertakings, as aforesaid, then the learned Court below would be at liberty to cancel the bail bond of the petitioner.

(Anjani Kumar Sharan, J)

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