

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33404 of 2021

Arising Out of PS. Case No.-591 Year-2020 Thana- WAJIRGANJ District- Gaya

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RAM AVATAR PRASAD KUSHWAHA Son of Rajo Mahto Resident of
Village - Tilora, P.S. Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sheo Jee Mishra
For the State	:	Mr. Ganesh Prasad Singh
For the OP No.2	:	Mr. Ajay Kumar Gautam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 02-08-2022 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 135 of the Electricity Act.

It is a case of theft of electricity.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that land in question in which boring is installed is neither registered in the name of his forefathers nor in his name. It is next submitted that petitioner has not taken the land or boring on Patta for agriculture. Petitioner has got clean antecedent.

Learned counsel appearing for the O.P. No.2 has filed



counter affidavit but has not denied the contention of the petitioner.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Electricity), Magadh area, Gaya in connection with Wazirganj PS case No. 591/ 2020, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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