

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33310 of 2022

Arising Out of PS. Case No.-151 Year-2022 Thana- FORBESGANJ District- Araria

GAURAV CHAUDHARY @ GAURAV KUMAR @ GARURAB KUMAR
SON OF MAHENDRA CHAUDHARY @ MAHENDRA PRASAD
CHAUDHARY R/O VILLAGE- RAMAI, P.S.- FORBESGANJ, DISTRICT-
ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navjot Yesu, Adv.
Mr.Alok Kumar Singh, Adv.
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks. In the eventuality of non-removal
of defects within stipulated period, office will place the matter
before the Bench.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 341, 323, 353, 504,
506 of the IPC and 135 of the Bihar Electricity Act.

Allegation against the petitioner is that he abused and
threatened to kill the informant while he was on duty with other
officials to take measures against electricity theft.

It is submitted by learned counsel for the petitioner that



petitioner is innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is general and omnibus in nature. It is submitted that petitioner filed several online applications before the informant for rectification of electricity bill but no rectification was made. It is further submitted that no offence under the ambit of section 135 of Electricity Act and 353 IPC is made out against the petitioner as he has not been found engaged in theft of electricity nor has used any force as to deter the informant from discharge of his duty. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the absence of any allegation made against the petitioner regarding theft of electricity and of using any force upon the informant, I am inclined to enlarge him on anticipatory bail.

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 Forbesganj P.S. Case No.151 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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