

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36010 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- CHENARI District- Rohtas

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1. SRI NIWASH RAM S/o Late Nathuni Ram Resident of Village- Kinarchola, P.S.- Dumri, P.S.- Chenari, District- Rohtas.
 2. Vivek Kumar S/o Sri Nivas Ram Resident of Village- Kinarchola, P.S.- Dumri, P.S.- Chenari, District- Rohtas.
 3. Manish Kumar S/o Kashinath Ram Resident of Village- Kinarchola, P.S.- Dumri, P.S.- Chenari, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dayashankar Ram S/o Late Ram Nihora Ram Resident of Village- Derba, P.S.- Kudra, District- Kaimur (Bhabhua) Junior Engineer Electric Supply Department, Chenari
3. SOUTH BIHAR POWER DISTRIBUTION COMPANY LTD. THROUGH MANAGING DIRECTOR VIDYUT BHAWAN, PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh No.10, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 353, 504 and 34 of the Indian Penal Code.

The informant alleges that the premises of Niwas Ram was raided and it was found that he by passing the meter committed theft of electricity causing loss of Rs. 40,866/- to the company, further the petitioners also misbehaved with the



officials and obstructed in discharge of his official duties and even assaulted.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that from bare perusal of the FIR it would manifest that the same is dated 09.03.2022 but the same was seen by the Learned Spl. Judge on 08.04.2022, which amply demonstrates that the FIR was not sent to the concerned Police Station in time, in accordance with law, it is next submitted that the name of petitioner no. 2 and 3 were added as accused in the FIR after 20 days of the occurrence as would be evident from perusal of the column 7 of the FIR as the learned Spl. Judge has signed the said column also. Learned counsel further submits that since the FIR was not sent to the concerned police station in time that in itself creates doubt with regard to the veracity of the allegation and the fact that the name of petitioner no. 2 and 3 was added subsequently in the FIR that also creates doubt.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chenari P.S. Case No. 71 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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