

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62313 of 2021

Arising Out of PS. Case No.-68 Year-2021 Thana- BAGHA District- West Champaran

1. SMT. PUJA MISHRA @ PUJA DEVI W/o Praveen Kumar R/o Village - Bankatwa, Ward No. 21, P.S. - Bagaha, District - West Champaran.
2. PRAVEEN KUMAR S/o Late Dwarikadhish Mishra R/o Village - Bankatwa, Ward No. 21, P.S. - Bagaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-07-2022 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 420, 467, 468 and 472 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner no. 1 is a person with clean antecedent whereas petitioner no.2 has antecedent of one case under Section 135 of the Electricity Act lodged by the present informant and the informant who is a Junior Electrical Engineer, Bagaha Branch alleges that he was on raid against theft of electricity and when he reached at the house of the petitioners, he came to know that



they have applied for a new connection by concealing the fact that Rs. 73,247/- is due in the name of father-in-law of the petitioner no.1 in the same house and the said electricity connection was disconnected on 28.03.2019, it is next alleged that the petitioners while applying for the electricity have falsely declared that there is no due against them. The petitioner no.2 was aware that there are dues against his father as he had deposited Rs. 16,000/- earlier in several installments.

Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that no offence under the aforesaid Sections of the I.P.C. *prima-facie* is made out, it is next submitted that no doubt there were dues against the father of petitioner no.2 but the same were deposited for which representations were made and the petitioner no.2 had deposited the legitimate dues but was not acceding to the fanciful demands being raised by the Electricity Department. Learned counsel submits that that now the issue has been resolved, electricity connection has been given to the petitioner, they are consuming electricity and they are paying bills.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each 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 Bagaha P.S. Case No. 68 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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