

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62207 of 2021

Arising Out of PS. Case No.-48 Year-2021 Thana- KATRA District- Muzaffarpur

1. SHAMBHU RAI S/o Ram Raji Rai Resident of Village- Singhwari, Tola Rajghat, Pahsaul, P.S.- Katra, District- Muzaffarpur.
2. Dipan Rai S/o Ram Parikshan Rai Resident of Village- Singhwari, Tola Rajghat, Pahsaul, P.S.- Katra, District- Muzaffarpur.
3. Chandan Kumar @ Chandan Rai S/o Radheshyam Rai Resident of Village- Singhwari, Tola Rajghat, Pahsaul, P.S.- Katra, District- Muzaffarpur.
4. Baban Kumar S/o Dipan Rai Resident of Village- Singhwari, Tola Rajghat, Pahsaul, P.S.- Katra, District- Muzaffarpur.
5. Radheshyam Rai @ Digha Rai Son of Ram Parikshan Rai Resident of Village- Singhwari, Tola Rajghat, Pahsaul, P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2022 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 341, 323, 379, 353, 504 and 34 of the Indian Penal Code read with Section 135 of the Electricity Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that a raid was conducted in the house of named accused



persons who were using electricity by connecting wire in the L.T. line in an unauthorised manner, it was during the course of raid that the accused persons came and disrupted the raid and even assaulted the authority and snatched the bill printing machine.

Learned counsel for the petitioners submits that petitioner are not named in the FIR, it is next submitted that no offence under Section 135 of the Electricity Act is made out against the petitioner because it is not alleged that petitioners were indulging in theft of electricity. It is next submitted that even *prima-facie* no case under Sections 379 or 353 of the IPC is made out against the petitioner as the allegations are general and omnibus in nature.

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 Katra P.S. Case No.
48 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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