

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1633 of 2022

Arising Out of PS. Case No.-244 Year-2021 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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NITISH GAUTAM Son of Late Rakesh Ranjan Resident of Village - mangal
Murti Bhawan Ahata Ward no.27, Majhulia Road, P.S.- Kazi Mohammadpur,
Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in Kazi
Mohammadpur P.S. Case No. 244 of 2021 registered under
Sections 341, 323, 504, 506, 353 of the Indian Penal Code and
Section-135 of Electricity Act.

Allegedly, the electricity connection of Mangalmurti
Umang Ahahta was disconnected due to non-payment of
outstanding bill of rupees 96,678/- The premises, in question is
said to be of the petitioner. After knowing about disconnection,



the petitioner started abusing and threatened to kill the Junior lineman through his mobile.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. As per the bill (Annexure-2) issued by the Electricity Department, the petitioner was to deposit an amount of 97,251/- by 29-08-2021. Annexure-2/1 is the receipt of the amount, deposited by the petitioner. The said amount was deposited by the petitioner on 27-08-2021 i.e. prior to the last due date i.e. 29-08-2021.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Electricity, N.B.P.D.C.L. Tirhut Area, Muzaffarpur in connection with Kazi Mohammadpur P.S. Case



No. 244 of 2021 subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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