

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22104 of 2023**

Arising Out of PS. Case No.-13 Year-2022 Thana- ATRI District- Gaya

ASHUTOSH KUMAR @ KARU SINGH SON OF UMA SHANKAR
SINGH @ UMESH SINGH R/O VILLAGE- BIKAI PUR, P.S.- ATRI,
DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 11-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 353, 379 and 427 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that petitioner abused and threatened CABCON Agency while they were doing electrical work in Krishna Nagar, Dhandhar Visthapit Colony, thereafter, it is alleged that petitioner broke the pole and took away 300 meters of wire causing loss of Rs. 1,05,000/- to the South Bihar Power Distribution Company.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is



next submitted that there was dispute relating to land on which pole was being erected. It is further submitted that the date of occurrence is 20.01.2022 and the F.I.R. was instituted on 21.01.2022 and the same was sent before the learned Trial Court on 31.01.2022 i.e. after a delay of more than 10 days which casts an aspersion on the case of the prosecution.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Atri P.S. Case No. 13 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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