

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42081 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- DANAPUR District- Patna

RAHUL VIJAY Son of Kumar Chhabbi Nath Singh Resident of Chitrakut
Nagar, P.O.-Digha, P.S.-Danapur, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. The Assistant Electrical Engineer, Electric Supply Sub Division, Digha,
Danapur, District-Patna Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kumar Sameer, Advocate
For the State	:	Mr.Nand Kishore Prasad, APP
For O.P. No.2	:	Mr. Mukti Nath, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-08-2023 Heard the parties.

The petitioner is apprehending arrest in connection with Danapur P.S. Case No. 229 of 2023 instituted under under Sections 341, 323, 353, 504, 506 and 34 of the Indian Penal Code and Section 135 of the Electricity Act lodged on 15.2.2023 by the informant, Prashant Kumar.

As per the prosecution story, the Assistant Electrical Engineer along with the inspecting team visited the house of the petitioner and in course thereof and upon inspection, found some interference with the meter and accordingly the meter which was being taken subsequently tried to be snatched by the accused persons. The Electricity Department has calculated the



loss to the tune of Rs. 3,29,414/-. Accordingly, the FIR.

Learned counsel for the petitioner submits that he is a heart patient, is in regular treatment at Delhi and further without accepting the allegation for the present, he will be paying Rs. 50,000/- through Demand Draft in favour of G.M., Revenue, S.B.PH.C. Ltd., Patna and will also be visiting the Electricity office himself or through his representative so that they can come to an amicable settlement and revised bill issued to him.

Learned counsel for the Electricity Department although opposes the prayer but concedes that once the payment is made, they have no opposition to the prayer for relief.

Considering the fair submissions put forward by both the parties, the anticipatory bail is allowed within conditions.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Danapur P.S. Case No. 229 of 2023 to the satisfaction of learned Special Judge, PESU, Area, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) the petitioner shall be paying Rs. 50,000/- through



Demand Draft in favour of G.M., Revenue, S.B.P.H.C. Ltd., Patna that is to be submitted at the time of execution of bail bonds;

(ii) within a fortnight the petitioner and/or his representative shall be visiting the electricity office and the concerned Officer shall sit with him and provide him revised bill and the modalities of payment has to be done by the parties themselves which the petitioner shall pay diligently;

(iii) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(iv) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(v) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(vi) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vii) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

With the aforesaid observation, the bail application is
allowed.

(Rajiv Roy, J)

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