

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41135 of 2023

Arising Out of PS. Case No.-92 Year-2023 Thana- DANAPUR District- Patna

Naresh Prasad @ Naresh Ray @ Naresh Son Of Late Ramvriksha Prasad
Resident Of Takiyapar, Gandhi Murti Kayasth Toli, Digha Diara, P.S.
Danapur, District Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. The Assistant Electrical Engineer, Danapur Electricity Supply Sub-Division
South Bihar Power Distribution Company, Patna

... .. Opposite Parties

Appearance :

For the Petitioner/s :	Mr.Avinash Shekhar, Advocate
For the Opposite Party/s :	Mr.Fahimuddin, APP
For the Informant :	Mr. Ajay Kumar Gautam

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Danapur P.S. Case No. 92 of 2023 registered for the offences punishable under Sections 147, 149, 341, 332, 337, 353, 504, 203 of the Indian Penal Code and Section 135 of the Electricity Act. He has got no criminal antecedent.

3. As per the prosecution story, the petitioner caused loss of Rs. 01,29,039/- to the South Bihar Power Distribution Company Limited by connecting the wire in the main line connection before it connects with the meter. It is alleged that when the raiding party seized the meters and the wires of the



petitioner and others, the son of the petitioner and co-accused Virendra Kumar came with 20-25 anti-social elements and started assaulting the raiding party.

4. Learned counsel for the petitioner submits that the petitioner is innocent and falsely been implicated in this case. It is submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the seriousness of the allegation that the raiding party found the petitioner involved in theft of electricity and when the raiding party had seized the meter and the wires of the petitioner and others, the son of the petitioner and co-accused Virendra Kumar came with 20-25 anti-social elements and started assaulting the raiding party whereupon they somehow saved their life and in the process, the wires and the two meters were also snatched away from, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

7. The prayer for anticipatory bail of the petitioner is, thus, refused.

8. In case the petitioner surrenders and prays for regular bail within four weeks from today in the court below, his



prayer for bail shall be considered on its own merit without
being prejudice by the order of this Court.

9. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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