

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50906 of 2022

Arising Out of PS. Case No.-306 Year-2022 Thana- MURLIGANJ District- Madhepura

1. DEEPAK KUMAR S/o Birendra Yadav R/o village- Jorgama, Ward No. 01, P.S.- Murliganj, District- Madhepura
2. Birendra Yadav @ Virendra Yadav S/o Bindeshwari Yadav R/o village- Jorgama, Ward No. 01, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Murliganj P.S. Case No. 306 of 2022 for the offence registered under Sections 341, 323, 353, 427, 504 and 34 of the Indian Penal Code.

The allegation in the FIR is of interfering the Electricity officials in their official duty as also misbehaving and assaulting them as well as breaking the Printer worth Rs. 18,500/-

Learned counsel for the petitioners submit that although the allegation is of 06.03.2022, the FIR has been lodged on 23.06.2022 by the Electricity Officials and there is no



explanation for this inordinate delay of three and half months. Further, it is not the case of the informant that there was any electricity bill pending by the petitioners as also any pilferage of the electricity. The last submission is that they do not have criminal antecedents.

Learned APP for the State opposes the prayer for anticipatory bail.

Taking into account the fact that there is inordinate delay of three and half months, they do not have criminal antecedent and ultimately they have to face the trial, this Court is inclined to grant them relief.

Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Madhepura in connection with Murliganj P.S. Case No. 306 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha-

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