

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62568 of 2021

Arising Out of PS. Case No.-440 Year-2020 Thana- HARSIDHI District- East Champaran

Rahul Kumar Pandey S/O- Ramvilash Pandey Resident Of Village- Ward No.
05, Raghunathpur, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manjeet Kumar Mishra, Advocate
For the N.B.P.D Co.ltd	:	Mr. Dr. Anand Kumar, Advocate
		Mr. Ranjan Prakash, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 24-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case registered for the offences punishable u/s 427, 504, 506 and 353 read with 34 of the Indian Penal Code.

As per the prosecution case, a tractor bearing No. BR 05GB 3579 damaged the electric pole of 11 K.V. near Bahaur Singh I.T.I. Centre, Harsidhi. When the informant reached there, he saw that driver was abusing the officials of electricity department and nearby persons and due to act of the driver of



the tractor, electric supply in Gaighat Feeder was disconnected for about 12 hours, causing loss of Rs. 25, 658/-.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The main allegation of damaging electric pole is against the co-accused person. The petitioner is not named in the F.I.R. The name of the petitioner has transpired during the course of investigation. As per the impugned order the petitioner is owner of the tractor bearing no. BR 05GB 3879 whereas the damage was occurred by the vehicle bearing No. BR 05GB 3579. The petitioner is made accused in this case only because he is owner of the tractor.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran, Motihari in connection with Harsidhi P.S.



Case No. 440 of 2020, subject to conditions as laid down under
section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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