

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62622 of 2023

Arising Out of PS. Case No.-300 Year-2023 Thana- GIRIYAK District- Nalanda

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VINOD PRASAD S/O DUKHAN MAHTO R/O VILLAGE- RAITAR, PS.
GIRIYAK, DIST. NALANDA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SOBINDRA S/O JAGDISH PRASAD AT PRESENT -JUNIOR ELECTRIC ENGINEER, ELECTRIC SUPPLY DIVISION, GIRIYAK, DIST. NALANDA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Satya Ranjan Sinha
For the Opposite Party/s :	Mr. Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-10-2023 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Giriyak Police Station Case No. 300 of 2023, disclosing offences under Sections 147, 148, 149, 337, 338, 341, 323, 353, 379, 504 of the Indian Penal Code.

3. As per the First Information Report, upon inspection, the petitioner was found using the electric energy by tapping the main incoming service line, bypassing the meter, and was accordingly, indulged in theft of electricity. The inspecting team has assessed the loss caused due to theft of energy by the petitioner at Rs. 2,08,781/-. It has further been



alleged that all the three persons whose premises were inspected, along with other villagers, about sixty in numbers, assaulted the raiding party/inspecting team and caused them injury which have been found to be grievous in nature.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has deposited the loss assessed by the inspecting team to the tune of Rs. 2,08,781/- with the South Bihar Power Distribution Company under money receipt dated 20.06.2023 annexed at Annexure-2/A. Insofar as the allegation of assault is concerned, it is general and omnibus in nature against all the persons whose premises were inspected and the sixty to sixty five villagers. There is no specific allegation against the petitioner regarding assault upon the inspecting team. Petitioner is having no criminal antecedent and is a farmer. Similarly situated co-accused persons have been granted bail by a Bench of this Court in Cr. Misc. No. 59716 of 2023.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has already deposited a sum of Rs. 2,08,781/- towards the loss of energy caused to the informant and similarly situated persons, in Cr. Misc. No. 59716 of 2023, have been granted bail,



accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, Vinod Prasad, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Giriyak Police Station Case No. 300 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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