

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59716 of 2023

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

Sita Ram Pandit, aged about 58 years, Male, S/O Valeshwar Pandit, R/O Village and P.O.- Raitar, P.S. Giriyak, Dist. Nalanda, Bihar 803109.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Akshay Lal Pandit, Advocate
For the Opposite Party : Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-09-2023 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.

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

3. The petitioner is apprehending his arrest in connection with Giriyak P.S. Case No. 300 of 2023 dated 12.06.2023 registered for the offences punishable under Sections 147, 148, 149, 337, 338, 341, 323, 353, 379, 504 of the Indian Penal Code and Section 135 of the Indian Electricity Act.

4. As per the prosecution case, the petitioner committed theft of electric energy by cutting and tapping in the main service wire by passing the meter. It is further alleged that



the petitioner caused loss of revenue of Rs.1,17,845/-. It is further alleged that the petitioner alongwith co-accused persons attacked on raiding team with Lathi, Danda and snatched their Mobiles, cash, seized wire, Meter and necessary papers etc.. Three members of the raiding team sustained injuries on their persons.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case due to village dirty party politics and ulterior motive of the informant. The petitioner was not present and did not participate in the alleged incident. It is further submitted that the petitioner has clean antecedent. It is further submitted that the petitioner has already deposited Rs. 1,17,845/- in favour of 'South Bihar Power Distribution Co. Ltd.', vide Receipt No. 220201230058202 dated 17.06.2023, annexed as Annexure-2 to the present bail application.

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

7. 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/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nalanda at Bihar Sharif in connection with Giriyak P.S. Case No. 300 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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