

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70058 of 2023

Arising Out of PS. Case No.-505 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Purushotam Kumar @ Purushotam Kumar Sharma son of Ramjeevan Singh
@ Rattu Singh Village- Paleya PO + PS- Makhdumpur Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-11-2023 Heard Mr. Prince Kumar Mishra, learned counsel

appearing on behalf of the petitioner and Ms. Rina Sinhya,

learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Makhdumpur P.S. Case No.505 of 2023, registered for the
offences punishable under Sections 341, 323, 353, 186, 504 and
506 of the Indian Penal Code.

3. Allegation against the petitioner is that he
approached the informant, who is the Junior Electric Engineer,
Makhdumpur, for connection of the electricity. As the informant
did not take any steps to grant electric connection, the petitioner
allegedly caught hold the informant and used vulgar words as
well as assaulted him.

4. Learned counsel appearing on behalf of the



petitioner submits that the informant, being an employee of the Power Holding Company, for some personal reason had harassed the petitioner, who is partially handicapped, and no such incident has taken place, as alleged in the FIR. The petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties and the fact, which can be gathered from the allegation made in the FIR by the Junior Engineer of a Power Holding Company, revealing the functioning of an Officer of the Power Holding Company to harass the common people. The petitioner has made out a case that he has been harassed by not giving connection of the electricity and in support of which he has made specific statement in paragraph no.7 of the petition.

7. The petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Jehanabad in



connection with Makhdumpur P.S.Case No.505 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to call upon the informant (Junior Electric Engineer, Makhdumpur) and inquire from him as to why a common citizen has been harassed and an FIR has been lodged. He must further ensure to take an undertaking from the concerned informant that in future, he will not harass any public and not take resort by filing frivolous FIR.

(Purnendu Singh, J)

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