

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15300 of 2024

Arising Out of PS. Case No.-102 Year-2023 Thana- SAHJAHANPUR District- Patna

Brajesh Kumar S/O AYODHYA SINGH R/O- ETWARI TOLA ARAI, PS.-
SHAHJANPUR, DISTT.- PATNA-801304 (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-03-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Shahjahanpur P.S. Case No. 102 of 2023 for the offence under sections 420, 467, 468, 471, 34 of the I.P.C. lodged on 08.07.2023 by the informant, Braj Bhushan Kumar.

3. As per the prosecution story, the allegation is that the petitioner who was a contractual employee with the Electricity Department got 153 new electric connection done but on verification, it was found that in some cases, the documents were not proper/authenticated. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that his role was only limited to the change of the meter and had no role to play in the verification of the documents. Further, he has already lost his job.



5. Learned APP opposes the prayer stating that electric connection was given without a valid document.

6. Taking into account the submissions put forward by the parties, he had no role to play in the verification of documents, FIR lodged and will be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge, Patna City, in connection with Shahjahanpur P.S. Case No. 102 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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