

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12526 of 2024

Arising Out of PS. Case No.-459 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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Babloo Kumar Gupta @ Bablu Kumar Son of Bhikhari Prasad Gupta R/o
Industrial Area, Donar, Kabirchack, Consumer No.- DIA 123 C.A. No.-
40147489, P.S.- Sadar, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad

For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-03-2024 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 Sadar Police Station Case No. 459 of 2020, dated
08.10.2020, disclosing offences under Sections
323/353/504/506 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report,
is that on 08.10.2020, the informant, who is Junior
Engineer at Electric Sub-Station, Laxmisagar, alongwith
some personnel, arrived at the premises of the petitioner
in the industrial campus for disconnecting the electrical
line, due to non-payment of the electricity bill. Upon
which, the petitioner became infuriated, pulled the



informant on the ground and assaulted other officials of the department. Thereafter, electricity connection of the petitioner was disconnected by the officials.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of concocted story. He next submits that the petitioner runs an industrial unit and pays electricity bills regularly. The bill amount, on the date of occurrence, was Rs. 34,320/-, as would be evident from the page no. 18 of the this application, which is a part of Annexure-2. Learned counsel, in support of his argument, relied upon the Annexure-2, which shows that in the month of December, 2023, a bill of sum of Rs. 1,09,211/- was payable by the petitioner. He produced a bill, dated 04.12.2020, before this Court during the course of arguments and submits that there was no arrears of electricity consumption in the aforesaid bill and the petitioner was to pay a total bill amount of Rs. 35,790/- on 19.12.2020. According to the petitioner there was arrear demand of electricity consumption from. The petitioner and the present First Information Report has been filed in order to harass him with ulterior motive.



5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that there was no arrears of electricity consumption against the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Sadar Police Station Case No. 459 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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