

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23548 of 2024

Arising Out of PS. Case No.-35 Year-2023 Thana- CHANAN District- Lakhisarai

1. Kundan Kumar S/O- Sagar Sao Lakhisarai
2. Arun Yadav S/O- Daso Yadav R/O- Village- Jankidih Beldaria, P.S.- Chanan, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-05-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 135 of the Bihar Electricity Act.

3. As per prosecution case, petitioners are alleged to have caused loss to the tune of Rs. 3,27,501/- (Rs. Three Lacs Twenty Seven Thousand Five Hundred One) each to the South Bihar Power Distribution Co. Ltd.

4. After some argument, learned counsel for the petitioners submits that petitioners are ready to deposit 50% of the alleged loss amount to the concerned electricity department.

5. Considering the aforesaid contention made on



behalf of the petitioners, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Additional Chief Judicial Magistrate- 1st, Lakhisarai in connection with Chanan P. S. Case No. 35 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioners that :-

(i) Petitioners shall refund 50% of Rs. 3,27,501/- i.e. Rs. 1,63,750.50/- (Rs. One Lakh Sixty Three Thousand Seven Hundred Fifty and Fifty Paise) each to the concerned electricity department and produce receipt of the same at the time of furnishing the bail-bonds, failing which, the learned court below would be at liberty to cancel the bail-bond.

6. It is made clear that without going into the merit of the case, this order has been passed for the purpose of bail.

(Prabhat Kumar Singh, J)

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