

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24658 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- MANPUR District- Nalanda

Nitish Kumar @ Nitish Raut SON OF RAMBALI RAUT RESIDENT OF
VILLAGE- SINGTHU, PS- MANPUR, DIST- NALANDA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. THE SOUTH BIHAR POWER DISTRIBUTION COMP. LIMITED
THROUGH ITS ASST. ELECTRICAL ENGINEER, ELECTRIC SUPPLY
SUB-DIVISION BIHARSHRIF RURUL 2, NALANDA AT
BIHARSHARIF

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranvijay Narain Singh, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the SBPDCL.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 149,
341, 323, 307, 353, 447 and 506 of the Indian Penal Code as
well as Sections 135 and 138 of the Bihar Electricity Act.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant based on general and omnibus allegation of assault. It
is further submitted that it is not a case of theft of electricity. In
sum and substance, the informant alleges that a team was



constituted for carrying raid in the premises of those who were indulging in electricity theft and when the team reached the place of Ranjeet Mistry when it is alleged that a mob gathered and indulged in scuffle with the raiding team and the informant along with Umashankar Choudhary received injury.

4. Learned counsel for the petitioner submits that petitioner is not related with Ranjeet Mistry and being neighbour he was also present at the place of occurrence and thus came to be implicated with general and omnibus allegation.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the SBPDCL opposed the prayer for anticipatory bail of the petitioner but then are not able to meet the submissions of the learned counsel for the petitioner that the allegation of theft and assault is general and omnibus in nature.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Manpur P.S.



Case No. 193 of 2023, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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