

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29907 of 2024

Arising Out of PS. Case No.-343 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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Nirbhay Kumar Singh Son of Chandeshwar Singh @ Chandra Shekhar Singh
Resident of Village- Bhelanari, P.S.- Gobindganj, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Kumar Son of Arvind Kumar Darbhanga Motihari Transmission
Company Limited through the Authorized officer, S.K. Vihar Colony, New
B.D. Public School, Beur, Anishabad, Patna- 800002

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-07-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in case registered for
the offence punishable under Section 136 of the Bihar
Electricity Act to which Sections 379, 411, 414 of the Indian
Penal Code were added later on.

3. As per the prosecution case, unknown thieves
committed theft of 3 ton tower from tower Nos. 98, 100, 106
and 115 causing loss of Rs. 2,70,000/- to the Darbhanga-
Motihari Transmission Company Ltd.

4. Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. and he has been made
accused on the basis of confessional statement of co-accused



Munnalal Gupta. No stolen article has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that co-accused Munnalal Gupta has confessed that seized materials in question were sold to him by this petitioner and other accused persons and petitioner has got four criminal antecedents out of which three are of similar nature.

6. Considering the nature of accusation and criminal antecedents of similar nature, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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