

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27454 of 2024

Arising Out of PS. Case No.-416 Year-2023 Thana- KUMAR KHAND District- Madhepura

Amandeep Chaudhary @ Amandeep Kumar @ Amardeep Kumar S/o Anil Chaudhary @ Anil Kumar Chaudhari R/o vill - Ranipatti, P.S. - Kumarkhand, Distt. - Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepak Kumar S/o Vijay Sah Present Junior Electrical Engineer, Power Supply Branch, Kumarkhand, South, Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Adv
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 10-07-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kumarkhand P.S. Case No. 416 of 2023 dated 16.11.2023 registered for the offences punishable u/s 379 of the Indian Penal Code and Section 136 of the Electricity Act.

3. As per the prosecution case, the petitioner along with four-five unknown miscreants is alleged to have committed theft of oil from the transformer due to which the said transformer became out of order and burnt which caused heavy loss to the *North Bihar Power Distribution Company Limited*.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is also submitted that there is no eye-witness of the occurrence alleging to the fact that the petitioner participated in commission of theft of transformer oil. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 23.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhepura, in connection with Kumarkhand P.S. Case No. 416 of 2023, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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