

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72549 of 2023

Arising Out of PS. Case No.-261 Year-2023 Thana- RANIGANJ District- Araria

SIKANDAR KUMAR CHOUDHARY @ SIKANDAR CHAUDHARY SON
OF LATE MOHAN CHOUDHARY RESIDENT OF VILLAGE - CHAURA
PARWAHA, POLICE STATION - FORBESGANJ, DISTRICT - ARARIA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NORTH BIHAR POWER DISTRIBUTION COMPANY LIMITED BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kundan Kumar Singh, Advocate
For the State	:	Mr. Umeshanand Pandit, A.P.P.
For the O.P. No. 2	:	Mr. Ajay Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-02-2024 Heard Mr. Kundan Kumar Singh, learned counsel for the petitioner, Mr. Umeshanand Pandit, learned A.P.P. for the State and Mr. Ajay Kumar Gautam, learned counsel for the opposite party No. 2.

2. Petitioner apprehends arrest in case registered for the offences punishable under Section 379 of the Indian Penal Code read with Sections 136 and 139 of the Electricity Act, 2003.

3. Informant who is a Junior Electrical Engineer, Electrical Supply Division Gounbanti alleges that three faze electric wire has been stolen. It is further alleged that on 22.06.2023, another electric wire was stolen for which Boshi P.



S. Case No. 119/2023 was registered on 24.06.2023. Informant suspects that the same persons have committed both the theft due to which the company has suffered loss of Rs. 1,46,166/-.

4. Learned counsel for the petitioner submits that petitioner has been made accused only on suspicion. It is further submitted that petitioner resides in a different locality and he was not present in the place of occurrence on the alleged date and time.

5. Learned counsel for the opposite party No. 2 vehemently opposes the bail application and submits that petitioner is a habitual offender and earlier also the bail application of the petitioner with regard to Bounsi P. S. Case No. 119 of 2023 has been rejected by co-ordinate Bench of this court *vide* order dated 07.11.2023 passed in Cr. Misc. No. 71249 of 2023.

6. Considering the aforesaid facts and circumstances of the case, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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