

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81661 of 2023

Arising Out of PS. Case No.-657 Year-2022 Thana- MADHEPURA District- Madhepura

Bijendra Prasad Gupta @ Pappu Kumar Gupta, S/O Late Ramjee Prasad Gupta, Mohalla- Purani Bazar, Ward No. 4, P.S. and Dist. Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The North Bihar Power Distribution Co. Ltd. through Junior Electrical Engineer, Electrical Supply Section, Madhepura (Urban), Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, Advocate
For NBP Co. Ltd.	:	Mr. Sreekant Sharan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-01-2024 Heard Mr. Uday Chand Prasad, learned counsel appearing on behalf of the petitioner and Mr. Shreekanth Sharan Singh, learned counsel for the opposite party no.2. as well as learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Madhepura P.S. Case No. 657 of 2022 registered for the offences punishable under Sections 341, 323, 353, 504, 506/34 of the Indian Penal Code.

3. The allegation against the petitioner and his associate is of misbehave, abuse and altercation with the staff of the electricity department. It is further alleged that while the employees of the electricity department were in the process of



Video recording, the accused persons snatched mobile and deleted the video.

4. It is submitted on behalf of the petitioner that in fact no such occurrence has taken place and only on account of some altercation, which took place between the petitioner and the employees of the electricity department, the present F.I.R. has been instituted. That apart, in the said incidence, none of the person has sustained any injury nor any loss has caused to the public property. He next submits that the petitioner having fair antecedent and undertakes before this Court that he will fully cooperate in the investigation or in the proceedings of the Court.

5. On the other hand, learned counsel for the opposite party no.2 as well as learned APP for the State vehemently opposed the bail application and submits that apart from the nuisance created by the petitioner, he also made hindrances in discharging the public duty.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that none has sustained any injury, coupled with the fair antecedent of the petitioner, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this



order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 657 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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