

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25992 of 2025

Arising Out of PS. Case No.-414 Year-2023 Thana- MADHUBAN District- East Champaran

Hari Kumar @ Harishankar Prasad S/O Ramadhar Prasad Residents of
village- Baharabhan, P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. NORTH BIHAR POWER DISTRIBUTION COMPANY LTD. through
Junior Engineer Electric Supply Section, Tetriya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Usha Kumari, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Madhuban P.S. Case No. 414 of 2023, G.R. No. 5422 of
2023 for the offence registered under Sections 379, 411 of the
I.P.C. lodged on 25.08.2023 by the informant Devendra Kumar.

3. As per the prosecution story, the informant alleged
that they got information that the transformer which was
installed for the agricultural purpose is being stolen. The
villagers caught hold of two of the accused who on query gave
the name of accomplished, petitioner is one of them. This led to
the FIR.

4. Learned counsel for the petitioner submits that



admittedly, the persons who were caught on the spot are Vikash Kumar Chaurasiya and Ramgovind Kumar. He is a student having no connectivity with those two persons who were apprehended, has no criminal antecedent either and usually to face the trial.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail and submits that the two arrested persons gave his name.

6. Considering the submissions of the parties as also that the petitioner do not have criminal antecedent, his name has come on the confession of arrested person, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Madhuban P.S. Case No. 414 of 2023, G.R. No. 5422 of 2023 subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(i) one of the bailor should be the family



members/relatives of the petitioner, who shall provide official document to show is *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. However, if it is found that he do have criminal antecedent, the order shall become infructuous.

(Rajiv Roy, J)

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