

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86868 of 2024

Arising Out of PS. Case No.-259 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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Babloo Sah @ Babloo Kumar Sah Son of Ramesh Sah Resident of Village -
Kalasan, P.S. - Chausa, District - Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shambhu Kumar, J.E., Electricity Supply Division, Udakishunganj,
Madhepura Under North Bihar Power Distribution Company Limited
(NBPDC), Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Barun Kumar Singh, Adv
		Mr. Kumar Praveen, Adv
For the Opposite Party/s :		Mr. Jagdhar Prasad, APP
For the Respondent		Mr. Sanjay Kumar Giri, Adv
		Mr. Mritunjay Harsh, Adv

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 14-07-2025 Heard learned counsel for the petitioner, learned counsel
for the North Bihar Power Distribution Company and the
learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 379 and 411 of the
Indian Penal Code.

3. The allegation in the FIR is that accused Raja Kumar
was apprehended along with hired tempo in which he was
carrying stolen wire and cables worth Rs.6,02,041/-. Further the
apprehended accused Raja Kumar disclosed the name of
petitioner Babloo Sah, as a person, who assisted him in the
same.



4. Learned counsel for the petitioner submits that it would be evident from the FIR itself, that it was co-accused Raja Kumar, who was apprehended along with tempo loaded with the cables. Further, the name of the petitioner has surfaced in this case only upon disclosure made by the apprehended accused Raja Kumar. Admittedly, there is no recovery from physical and conscious possession of the petitioner and no loss has been caused to the Electricity Department as the cables were recovered and Raja Kumar was also apprehended. The petitioner has clean antecedent.

5. Learned counsel appearing for the North Bihar Power Distribution Company Ltd however, opposes the anticipatory bail on the ground that the co-accused Raja Kumar had disclosed the name of the petitioner on the spot itself and hence, that shows the complicity of the present petitioner also.

6. Considering the facts and circumstances and also considering that the petitioner has no criminal antecedent, let in the event of his arrest/ surrender within a period of four weeks from today the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Udakishunganj P.S. Case



No. 259 of 2023, subject to condition as laid down under
Section 438(2) of the Cr.P.C and subject to the further condition
that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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