

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15354 of 2026

Arising Out of PS. Case No.-142 Year-2025 Thana- PAHARKATTA District- Kishanganj

1. Zaber Alam, S/o Abdul Rahim, R/o vill- Satemari, Thana- Paharkatta, District- Kishanganj
2. Abdul Rahim, S/o Hafizuddin, R/o vill- Satemari, Thana- Paharkatta, District- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Power Holding Company Limited, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan, Adv.
For the State	:	Mr. Zainul Abedin, APP
For O.P. No. 2	:	Mr. Shrekant Sharan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioners, learned A.P.P for the State and learned counsel for the Bihar State Power Holding Company Ltd.

2. The petitioners seek bail in connection with Paharkatta P.S. Case No. 142 of 2025 dated 23.12.2025 registered for the offence punishable under Section 136 of the Bihar Electricity Act and later on Sections 317(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 were also added.

3. The prosecution case, in short, is that the informant submitted his report alleging therein that 1.4 CKM HT wire has been stolen away by some unknown persons in village Bisani and Saraidighi.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. It is submitted that the date of occurrence mentioned in the complaint is 22.12.2025 and the F.I.R. has been lodged on 23.12.2025. It is submitted that the petitioners were returning in a tempo and the said tempo was intercepted by the police and recovered 1.4 CKM HT wire and five bundles each of 50 metres coil was recovered from a tempo in which the petitioners were returning due to which the petitioners have been made accused in this case. The driver of the said tempo fled away at the time of seizure. The petitioners are in custody since 04.01.2026, having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State as well as learned counsel for the B.S.P.H.C.L oppose the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj in connection with Paharkatta P.S. Case No. 142 of 2025, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and



shall be properly represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or their wife.

3. The bailor shall also state on affidavit that he/she will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioners within two weeks of their release from custody shall appear before the S.H.O. of their local area alongwith a copy of this order and shall appear every fortnightly to mark their attendance till the framing of charge in the trial court.

(Khatim Reza, J)

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