

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.2433 of 2021**

Sanjeev Kumar Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Arpit Kumar, Advocate
For the State : Mr. Nilesh Kumar, Addl.P.P

Order No.02 Dated- 05.04.2021

Heard the parties through video conferencing.

Apprehending his arrest in connection with Koderma P.S. Case No. 160 of 2020 instituted under Sections 135 & 136 of Electricity Act, 2003, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner who is the son of the co-accused was illegally supplying electricity to one private mobile tower which has been installed in the premise of the petitioner and without permission of the BSNL and Electricity Department and caused loss to the Electricity Department. It is submitted that the allegation against the petitioner is false. It is next submitted that the co-accused, with similar allegation, has been given the privilege of the anticipatory bail by the Co-ordinate Bench of this Court vide order dated 04.02.2021 passed in A.B.A. No.7438 of 2020. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and undertakes to deposit Rs.50,000/- with the Executive Engineer, JUVNL, Koderma without prejudice to his defence in this case subject to final decision of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Addl.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court of learned Addl. Sessions Judge-II, Koderma within eight weeks from today and in the event of his arrest or surrendering, the petitioner will be enlarged on bail on showing proof deposit of Rs.50,000/- with the Executive Engineer, JUVNL, Koderma without prejudice to his defence in this case and on furnishing bail bond

of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount to the satisfaction of learned Addl. Sessions Judge-II, Koderma in connection with Koderma P.S. Case No. 160 of 2020 with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile numbers and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In case the petitioner deposits the said demand draft, the court below is directed to issue notice to the Executive Engineer, JUVNL, Koderma and on his proper identification, the court below shall handover the same to him forthwith.

In case the petitioner deposits Rs.50,000/-, learned court below will pass an appropriate order regarding the same at the time of conclusion of trial.

(Anil Kumar Choudhary, J.)

Pappu/