

Court of Vacation Judge, West Singhbhum at Chaibasa.**Manoharpur P.S. Case No.46/2022****(Misc. Criminal Application No. 895 of 2022)****CNR No. JHCB01-0032342022**

Serial No.	Date of order of proceeding	Order with the signature of the Court.	Office notice taken with date
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	<u>19.10.2022</u>	A surrender-cum-bail petition has been filed on behalf of the accused/petitioner namely Ashish Kumar in connection with Manoharpur P.S. Case No. 46 of 2022, registered U/Ss. 135/138 of Indian Electricity Act. Copy of the bail petition has already been served to the Addl, P.P. Since the accused/petitioner has surrendered voluntarily in this case today. Hence, he is taken into judicial custody. Heard. Ld. Counsel appearing on behalf of the accused/petitioner as well as Ld. Addl. P.P. appearing on behalf of the State. The learned counsel appearing on behalf of the accused/petitioner has submitted in course of his submission that the accused/petitioner has surrendered before the Court today and no prior application for bail was filed on behalf of the accused/petitioner in any court in connection with this case and it is a case of U/s 135/138 of Electricity Act. Further, he has submitted that the accused/petitioner has not committed any offence whatsoever and he is innocent rather he has falsely been implicated in this case on false and baseless and concocted allegation. Further, he submitted that the accused/petitioner has already deposited the loss amount of Rs. 20,531/- vide receipt No. 134273, dated 12.10.2022 and on the basis of aforesaid submission the Ld. Counsel for the accused/petitioner has prayed that the	

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	<u>Contd.2</u> <u>19.10.2022</u>	accused/petitioner kindly be enlarged on bail. On the other hand, learned P.P. appearing on behalf of the State has raised no objection against the prayer of Ld. Counsel of the accused/petitioner after perusing the original receipt of payment of loss amount. Heard both the sides and perused the case record. From perusal of the case record, it transpires that this case has been registered as Manoharpur PS. Case No. 46/2022 dated 11.10.2022, U/s 135/138 of Indian Electricity Act against four accused persons including this accused/petitioner on the basis of the written application of the Junior Engineer Electricity (Supply Department), Manoharpur 11.10.2022, alleging inter alia therein that accused/petitioner has committed theft of electricity in his house by hooking in LT Line due to which electricity department suffered loss of Rs.20,531/- from accused. Further, from perusal of the case record, it also transpires that accused/petitioner has already deposited the loss amount of Rs.20,531/- vide receipt No. 134273, dated 12.10.2022 in the concerned electric department. So, in view of the aforesaid facts and circumstances of the case and also in view of the fact that no objection has been raised on behalf of the Ld. Addl. P.P., against the prayer of the accused/petitioner, I	

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	Later on 19.10.2022	am inclined to enlarge the accused/petitioner namely Ashish Kumar on bail on furnishing bail bond of Rs.10,000/- with one surety of like amount. Accordingly, Misc. Criminal Application No. 895 of 2022 filed on behalf of the petitioner namely Ashish Kumar is hereby allowed and accordingly, the same is disposed off. (Dictated) Sd/- Vacation Judge, At Chaibasa. Later On As per the aforesaid order bail bond has been furnished along with affidavit through his Ld. Advocate on behalf of petitioner namely Ashish Kumar which is checked and found in order. Hence, bail bond is <u>ACCEPTED</u> and accused/petitioner is hereby released from judicial custody.. (Dictated) Sd/- Vacation Judge, At Chaibasa.	