

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16004 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -ARARIA District- ARRARIA

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1. Arun Kumar Son of Umesh Ray, Resident of Village - Aga Nagar, P.O. - Purushottampur, P.S. - Maniyari, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. North Bihar Power Distribution Company Limited through Assistant Electrical Engineer, Electric Supply Sub - Division- Araria.
3. Sanjay Singh through Manager, Aircel company Ltd.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore
For the Board Mr. Alok Kumar
For the opposite party no.3 Mr.Sanjeev Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

05/ 09.12.2015 Heard all the parties.

Petitioner was granted provisional bail by this court vide order dated 28.9.2015 and submission on behalf of the petitioner is that he was working as technician and his work was only to maintain the fiber optical line. So far as control of mobile tower is concerned, the same was under the supervision of other accused and, therefore, no responsibility of alleged consumption of the electricity can be fixed on the petitioner.

Learned counsel for the opposite party no.3 submits that Aircel company is not responsible for the alleged allegation of illegal consumption of electricity because Aircel company entered into an agreement with EKME Engineering private limited and the aforesaid company was bound to have control over the aforesaid mobile tower.

Learned counsel appearing for the Electricity Board submits

that the petitioner and his associate caused huge loss to the board.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that the petitioner has already suffered by remaining in jail custody for near about eight months and accordingly, provisional bail granted to the petitioner vide order dated 28.9.2015 stands confirmed.

Let this order be communicated to the concerned court through E-mail.

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(Hemant Kumar Srivastava,J)

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