

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21478 of 2015

Arising Out of PS.Case No. -35 Year- 2015 Thana -BODHGAYA District- GAYA

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Neelam Devi W/o Rajkumar Prasad R/o Alok Guest House, New Taridih,
P.S. Bodh Gaya Distt. Gaya

.... Petitioner

Versus

1. The State of Bihar
2. India Power Corporation (Bodh Gaya) Ltd., LA Distribution Franchises
of South Bihar Power Distribution Company Ltd through its Assistant
Manager officer of I.P.C. (B) L.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Renu Kumari (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 30-09-2015 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the South Bihar Power Distribution
Company Limited.

A counter affidavit has been filed in the present case.

The petitioner is apprehending her arrest in connection
with Bodh Gaya P.S.Case No. 35/15 registered under Section 135
of the Indian Electricity Act.

The allegation against the petitioner is of electricity theft
and the alleged amount is Rs.1,21,107/-.

The contention of learned counsel for the Power Holding
Company is that the petitioner had been drawing electricity in an
unauthorized manner resulting in loss to the Company which has

been gauged at for the abovementioned amount.

Learned counsel for the petitioner submits that the petitioner is a lady having no income, is yet willing to deposit a sum of Rs.50,000/- without prejudice to her rights in the case pending in the court below.

Considering the bona fide offer made by the petitioner, let the petitioner, above named, in the event of her arrest/surrender in the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Bodh Gaya P.S.Case No. 35/15 to the satisfaction of the Special Judge, Electricity, Magadh Area, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the aforesaid amount of Rs.50,000/- shall be paid within a period of three months. In case the same is not done, it shall be open to the Power Holding Company to take appropriate steps in the matter.

(Anjana Mishra, J)

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