

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27493 of 2014

Arising Out of PS.Case No. -9 Year- 2014 Thana -TRIVENIGANJ District- SUPAUL

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Hareram Sharma son of Deo Narain Sharma, R/o Shyam Nagar, Pakadi,
P.S.- Triveniganj, District- Supaul

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Ahmad Ali (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with Triveniganj P.S. Case No. 09 of 2014 registered for the offence punishable under Section 135 of the Indian Electricity Act, 2013.

Allegedly, the petitioner, during raid, was found consuming electric energy after breaking the seal of meter and was also running 15 HP motor though he was provided connection for only 10 HP load.

Submission is of false implication. During investigation it has been found that as a matter the petitioner was running 10 HP Motor as during verification the Investigating Officer has found the motor of 10 HP. The witnesses vide

paragraphs 31 to 34 of the case diary have stated regarding the innocence of the petitioner. The petitioner has been made accused in three simultaneously instituted cases and he has been allowed pre-arrest bail in Triveniganj P.S. Case No. 10 of 2014 and as such in this case also he deserves sympathetic consideration to which the learned counsel representing the Bihar State Electricity Board opposes by submitting that the petitioner has caused loss to the tune of Rs. 2,03,074/- to the department.

In the facts and circumstances stated above and considering the fact that in one of the cases the petitioner has been allowed pre-arrest bail and the investigating officer has found the motor of 10 HP capacity and as such the petitioner, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri M. Kumar, J. M., Supaul in connection with Triveniganj P.S. Case No. 09 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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