

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30739 of 2014

Arising Out of PS.Case No. -65 Year- 2013 Thana -TARAPUR District- MUNGER

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1. Awadhesh Singh @ Awadhesh Kumar Singh Son of Late Sakun Prasad Singh, Temporary Resident of Village _ Mohhanganj (Chathar Road), P.S. Tarapur, Dist.-Munger, permanently residing at Village - Gulni Kushha, P.S. - Shambhuiganj, Dist.-Banka

.... Petitioner/s

Versus

1. State of Bihar
2. The Bihar State Power Holding Company Limited through Ranveer Kumar Singh, Son of Late Kanik Lal Singh Junior Electronic Enginner, Electric Supply Section, Tarapur, Munger

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Ishwar Chandra

For the Opposite Party/s : Mr. Dr. M.K.Gautam (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 27-01-2015 Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under sections 135 and 138 of the Electricity Act.

Allegedly, the petitioner was found using electric energy stealthily with the help of hook and wire after connecting the same with the main electric line. Further there was dues of Rs. 48,853/- and for that the electric connection was disconnected.

Submission is of false implication, nothing has been seized from the house of the petitioner, seizure list has not been handed over to any person nor signed by any inmates. Petitioner is

not in a position to deposit the amount.

Learned counsel for the Bihar State Power Holding Company opposes the prayer for bail by submitting that due to illegal act of the petitioner Rs. 80,055/- loss has been caused to the department.

Considering the submissions urged at the bar, going through the records and noticing that against the petitioner there is allegation of theft of electricity and as such this Court is not persuaded to grant privilege of pre-arrest bail to the petitioner and accordingly, such prayer of the petitioner stands rejected in connection with Tarapur P.S. Case No. 65 of 2013 pending in the Court of C.J.M. Munger.

However, in case and if so advised the petitioner surrenders and seeks regular bail after giving an undertaking to deposit the amount then his prayer for regular bail shall be considered on that basis without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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