

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36519 of 2014

Arising Out of PS.Case No. -83 Year- 2013 Thana -BUNIADGANJ District- GAYA

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Hulash Yadav son of Ramdhani Yadav
2.Arjun Yadav son of Rameshwar Yadav
Both resident of village Songra, P.S. Buniyadganj, District Gaya.
..... Petitioner/s

Versus

1.The State of Bihar.
2.The Chairman of the Bihar Electricity Board, Patna.
3.The Executive Engineer, Bihar Electricity Board, Patna.
..... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 09-04-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offence punishable under Sections-135 of the Electricity Act and their being specific finding of the raiding party consisting of as many as five officials that the petitioners were found to have been extracting electricity by use of unlawful means which in turn has resulted loss of Rs. 2,51,414/- in the case of petitioner no. 1, Hulash Yadav and Rs. 1,67,616/- in the case of petitioner no. 2, Arjun Yadav, to the Electricity Board, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

The only submission of learned counsel for the

petitioners that the petitioners were bonafide consumers as could be deciphered from the electricity bills in the name of petitioner no. 1 and father of petitioner no. 2 would also inspire no confidence because those bills are of the month of July whereas raid was made in the premises of the petitioners in the month of September.

That being so, the prayer for anticipatory bail of the petitioners is hereby rejected.

Nothing said in this order, however, will come in the way of the petitioners in surrendering before the Court below and praying for regular bail which shall be considered and decided on its own merits and without being prejudiced by the fact that their prayer for anticipatory bail has been rejected by this Court.

(Mihir Kumar Jha, J)

Ranjan/-

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