

Arising Out of PS.Case No. -232 Year- 2013 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

.... Petitioner/s

1. The State of Bihar
2. Bihar State Power Holding Company Ltd. Bailey Road, Patna

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Najir Ansari (App)

8 08-04-2015

Heard learned counsel for the petitioner and

learned counsel for Opposite Party No. 2.

The petitioner apprehends his arrest in a case under section 135(i)(k) of the Electricity Act.

The allegation against the petitioner is that the petitioner was found committing theft of electrical energy and thereby caused loss to the Bihar State Power Holding Company to the tune of Rs.2,90,690/-.

The petitioner had earlier moved this Court for grant of anticipatory bail vide Criminal Misc. No. 21863 of 2014 but the same was permitted to be withdrawn as the supervisory Officer had recommended for submission of final form.

Learned counsel for the petitioner submitted

that the Deputy Superintendent of Police had recommended for submission of final form in the case but the Superintendent of Police, in a mechanical way, directed for submission of charge-sheet. It is submitted that the case has wrongly been lodged against the petitioner and further submission is that the learned counsel for the respondent Company alleged that the petitioner was found committing theft of electrical energy. . It is submitted that the petitioner has got valid connection.

It appears that the raiding party raided the building of the petitioner and found the petitioner committing theft of electrical energy without having valid connection and thereby caused loss of Rs.2,90,690/- .

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner in connection with Chiraiya P.S. Case No. 232 of 2013 pending in the court of the Sub-divisional Judicial Magistrate, Sikarahana at Motihari, East Champaran. Accordingly, this application is rejected.

(Prabhat Kumar Jha, J)

Amin/-

U			
---	--	--	--