

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31243 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Motilal Pandit @ Brahama Nand Prajapati S/o Mathura Pandit @
Mathura Prajapati Resident of Village Belhi, P.S. Chiraiya, District East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Electricity Board, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Smt.Pushpa Sinha - 2 (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 03-08-2015 Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending arrest in a
case registered for the offences punishable under
Section 135(1)(a) of The Electricity (Amendment) Act,
2007.

The accusation is of consumption of
electric energy unauthorizedly and the loss has been
calculated to the tune of Rs.1,22,082/-.

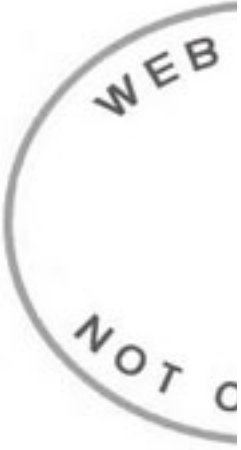
It is submitted by learned counsel for the
petitioner that only on suspicion the accusation has
been levelled and except five meters of wire, nothing

has been seized to suggest that any commercial consumption was being made by the petitioner. Learned counsel for the North Bihar Power Distribution Company Ltd. does not dispute the above contention of learned counsel for the petitioner.

However, the petitioner undertakes to deposit 20% of the alleged calculated loss amount within three months before the North Bihar Power Distribution Company Limited.

Considering the aforesaid undertaking, let the above named petitioner be released on provisional anticipatory bail for four months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Sikrahana at Motihari, East Champaran in connection with Chiraiya P.S. Case No. 21 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail will be confirmed by the learned court below only on the petitioner showing receipt of deposit of 20% of the alleged calculated loss



amount within three months.

The said deposit will be subject to the final
assessment or compounding proceeding.

(Dinesh Kumar Singh, J)

Anil/-

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