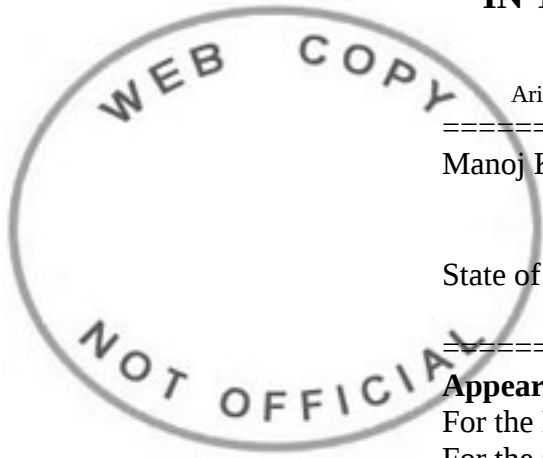




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33273 of 2015

Arising Out of PS.Case No. -43 Year- 2015 Thana -CHAPRA TOWN District- SARAN

Manoj Kumar Gupta

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Amitesh Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-08-2015 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 of The Electricity (Amendment) Act, 2007.

The accusation is of consumption of electric energy unauthorizedly for commercial purpose and the loss has been calculated to the tune of Rs.81,393/-.

It is submitted by learned counsel for the petitioner that only on suspicion the accusation has been levelled and except two 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.

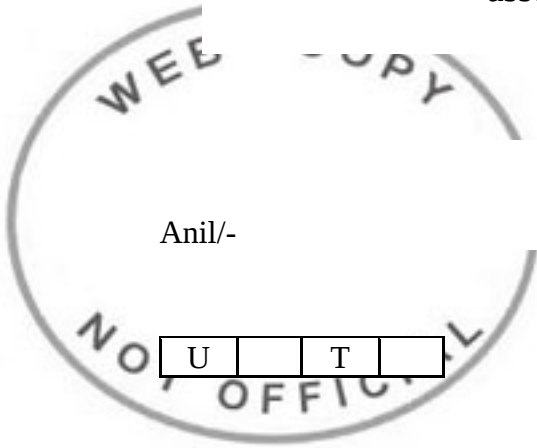
However, the petitioner undertakes to deposit 30% of the alleged calculated loss amount within three months before the Executive Engineer, North Bihar Power Distribution Company Limited, Chapra.

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 CJM, Saran at Chapra in connection with Chapra Town P.S. Case No. 43 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 30% 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)