

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35283 of 2015

Arising Out of PS.Case No. -160 Year- 2015 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

Samundri Devi

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate
For the Opposite Party/s : Mr. Manoj Kumar (App)
For the SBPDCL : Mr. Padma Deo Narayan, Advocate

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 21-08-2015 Heard learned counsels for the petitioner as well as
South Bihar Power Distribution Company Limited and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under section 135 of the Electricity
Act.

The accusation is of consuming electricity energy
unauthorisedly for running the flour mill and the loss has been
calculated to the tune of Rs.2,17,191/-.

It is submitted by learned counsel for the petitioner that
40 meters wire, one motor-wheel and starter were seized but no
motor was seized nor the seizure list bears the signature of any
witness which reflects the malicious nature of the case.

Though counter affidavit has been filed by the South

Bihar Power Distribution Company Limited suggesting that witnesses have signed the seizure list but the learned counsel for the South Bihar Power Distribution Company Limited does not controvert this fact that seizure list does not bear the signature of any witness.

Considering the aforesaid facts, let he be released on anticipatory bail on deposit of 15% of the alleged due amount of Rs. Rs.2,17,191/-, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No.160 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The aforesaid deposit will be subject of assessment/compounding proceedings.

Ashwini/-

(Dinesh Kumar Singh, J)

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