

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35940 of 2015

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Dinesh Kumar Yadav @ Dinesh Yadav

.... Petitioner/s

Versus

1. State of Bihar,
2. North Bihar Power Distribution Company Ltd. Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Jha

For the Opposite Party/s : Mr. Suresh Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

12 19-08-2015

Heard learned counsel for the parties.

The present application has been filed for modification of the order dated 13.5.2015 passed in Cr. Misc. No. 15079 of 2015 for extending the period of deposit of balance Rs.75,000/ and the period of provisional anticipatory bail in connection with Supaul P.S. Case No. 531 of 2012.

The petitioner preferred anticipatory bail application in a case under section 379 of the IPC and section 135 of the Electricity Act.

The accusation was of consuming the electric energy unauthorisedly causing loss to the tune of Rs.1,75,000/-. The petitioner undertook to deposit Rs.1,00,000/- before the Assistant Electric Engineer, North Bihar Power Distribution Company Limited Supaul within a period of four months and the petitioner was granted provisional bail for a period of four months which was to be confirmed by the learned court below on filing substantial proof with regard to deposit of Rs.1,00,000/-.

It is submitted by learned counsel for the petitioner that due to financial constrains, till now the petitioner could deposit only Rs.25000/- and undertakes to deposit Rs.75,000/- within four months from today. Learned counsel for the North Bihar Power Distribution Company Limited has no objection on the extending the period of provisional bail if the petitioner deposits Rs.75,000/- within the aforesaid period.

The learned counsel for North Bihar Power Distribution Company has no objection in extending the period of provisional bail provided the petitioner deposits the balance undertaken amount.

On the aforementioned submissions of learned counsel for the parties, the order dated 13.5.2015 passed in Cr. Misc. No. 15079 of 2015 is modified to the extent that the period of provisional bail of the petitioner is extended till 30th November, 2015.

The provisional bail will be confirmed by the learned court below on filing substantial proof with regard to deposit of Rs.75,000/- within four months by the petitioner.

The order dated 13.5.2015 passed in Cr. Misc. No. 15079 of 2015 stands modified to the extent indicated above.

Accordingly, the modification application is disposed of.

(Dinesh Kumar Singh, J)

Anil/-

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