

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56471 of 2015

Arising Out of PS.Case No. -251 Year- 2015 Thana -KHIJARSARAI District- GAYA

Wakil Sharma @ Wakil Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Ram Bachan Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2015

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 Act.

The accusation is of running the flour mill by consuming unauthorized electrical energy. The total loss has been calculated to the of ₹2,21,120/-.

It is submitted by learned counsel for the petitioner that the FIR was registered after 24 hours of seizure and seizure has only been made of 3 metre of wire and no machine or motor or other article has been seized and this fact has not been controverted by learned counsel appearing for South Bihar Power Distribution Company Ltd.

Without entering into the merits of the case, the

petitioner is directed to deposit 25 % of total loss calculated before the Electricity Department which will be subject to assessment or compounding proceeding.

On deposit of the aforesaid amount, let the above named petitioner be released on anticipatory bail, 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 Special Judge, Electricity, Magadh Area, Gaya in connection with Khizar Sarai P.S. Case No. 251 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Amrendra/-

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(Dinesh Kumar Singh, J)