

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20967 of 2012

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1. Baleshwar Prasad Late Parmanand Prasad Village-Koshahara,Ps-Kinjar,District-Arwal,Presently Working As Junior Electrict Engineer Ramgarh,Ps-Ramgarh,Distt.Kaimur.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Vigilance Department

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Ramakant Sharma (L.O./I/C

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

7 29-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner being Junior Engineer, South Bihar Power Distribution Company posted at the relevant time at Ramgarh is apprehending arrest in a case registered for the offences punishable under Sections 405,406 and 420 of the Indian Penal Code and section 15 of the Prevention of Corruption Act.

On direction of the Department STF conducted raid on several establishments when it was found that the consumers were consuming electric energy disproportionate to sanctioned load. In place of sanctioned load for 21 HP motor the consumption was being made by running 35 HP motor whereas one transformer was found burnt but it was not changed. Seasonal connections were given to rice millers illegally and six others were found to have been consuming electrical energy without any valid connection. The FIR suggests that the petitioner was found negligent in his duties.

It is submitted by the learned counsel for the petitioner that there is nothing on record to suggest that the petitioner

deliberately allowed the consumers to consume electricity excess to the sanctioned load or the petitioner received by pecuniary benefits from the consumers.

Considering the fact that the thrust of accusation is against the consumers, 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 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 Special Judge, Vigilance I, Patna in connection with Special Case No. 55 of 2011 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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