

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24950 of 2015

Arising Out of PS.Case No. -542 Year- 2014 Thana -PHULWARI District- PATNA

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Arvind Kumar Son of Late Ram Prapanchari R/o village - Dariyapur, P.S.
Janipur, District - Patna

.... Petitioner

Versus

1. The State of Bihar
2. The Bihar State Power (Holding) Company Limited, Vidyut Bhawan,
Bailey Road, Patna through its Chairman - Cum - Managing Director

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate.

For the Opposite Parties : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 22-07-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 135 of the Electricity Act.

The petitioner was found being hooked in the LT line for committing theft of electrical energy for running welding machine and thereby the petitioner caused loss of Rs. 2,89,645/-. Sri Rabindra Kumar, learned counsel for the petitioner submits that the petitioner is an employee of Civil Court. The learned Principal Magistrate, Juvenile Justice Board has issued certificate that the petitioner was present on his duty on the date of occurrence at about 04:30 P.M. The meter is running in the name of the wife of the petitioner. No notice was issued under Section 107 of the Electricity Act.

On the other hand, learned counsel for the Bihar State

Power (Holding) Company Limited has submitted that video recording was taken and from perusal of the video recording, it appears that the petitioner was scaling the stairs for hooking electric wire in the LT line.

Considering the facts aforesaid and the fact that the petitioner was committing theft of electrical energy, if the petitioner deposits Rs. 1,40,000/- within two weeks from today in that event the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in Phulwarisharif (Janipur) P.S. Case No.542 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further condition that the petitioner shall deposit the remaining amount within three months from today, if the petitioner fails to deposit the remaining amount the learned court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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