

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28324 of 2015

Arising out of PS.Case No. -176 Year- 2014 Thana -CHANDAULI District- GAYA

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Gultain Sao @ Guletani Sao @ Gultani Sao, Son of Late Lalji Sao, resident
of village Kujap, P.S. Chandauti, District - Gaya.

.... Petitioner

Versus

The State of Bihar, through South Bihar Power Distribution Company Ltd.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nand Kishore Prasad Sinha, Advocate.

For the Opposite Party : Mr. Padma Deo Narayan, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-09-2015 Heard learned counsel for the petitioner and learned
counsel for the S.B.P.D.C. Ltd.

The petitioner is apprehending his arrest in connection
with Chandauti P.S. Case No. 176 of 2014 for the offences
instituted under Section 135 of the Electricity Act.

The prosecution story, in brief, is that the informant, Sri
Rakesh Kumar Nirala, A.E.E. Sub Division, Gaya, Rural, told that
although petitioner has a legal connection having Consumer No.
C 6253/GR 100861/NDS2, but he is consuming electric energy by
hooking directly in one phase of L.T. line by passing the electric
meter which caused a loss of Rs. 140,545/- to S.D.P.D.C. Ltd.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. It is further submitted
that the petitioner is aged 75 years. The petitioner has been made

accused in the present case due to mistake of fact. The petitioner is a bonafide consumer and has got proper connection as per law. It is further submitted that the petitioner is ready to deposit an amount of Rs. 15,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the learned counsel for the S.B.P.D.C. Ltd., it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 15,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Chandauti P.S. Case No. 176/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Electricity, Magadh Area, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)