

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46724 of 2014

Arising Out of PS.Case No. -58 Year- 2013 Thana -PATEPUR District- VAISHALI (HAJIPUR)

Ashok Sharma, Son of Satya Narayan Sharma, Resident of Village-Patepur,
P.S.-Patepur, District-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. This Bihar Electricity Board through its Chairman, North Bihar, Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Opposite Party/s : Mr. M.Rab, (A.P.P.)
For the Opposite Party No.2 : Mr. Vinay Kirti Singh, Advocate
Mr. Vijay Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 07-05-2015 Heard learned counsel for the petitioner,

learned Additional Public Prosecutor for the State as

well as learned counsel appearing on behalf of the

Bihar Electricity Board.

This is an application seeking anticipatory bail
in a case registered for the offences punishable under
Sections 137 and 138 of the Indian Electricity Act
read with Section 379 of the Indian Penal Code.

Allegedly, the petitioner was committing theft
of electricity by connecting L.T. Line and was
running a Lathe (Welding) Machine thus causing loss
to the North Bihar Power Distribution Company to the

tune of Rs. 1,60,000/-.

Learned counsel appearing on behalf of the petitioner while denying the allegations made against the petitioner, submits upon instructions from his client that the petitioner intends to deposit the said amount of Rs. 1,60,000/- out of which, as submitted, he will deposit 50% within three weeks from today and rest amount he will be depositing in three monthly instalments, each of Rs. 30,000/-, Rs. 30,000/- and Rs. 20,000/-.

In view of the submission as above, let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Vaishali**, in connection with **Patepur P.S. Case No. 58 of 2013**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Further, it is made clear that the petitioner will be required to produce evidence as regards deposit of

50% of the amount at the time of his surrender before the court below in the light of present order.

Learned counsel appearing on behalf of the petitioner has submitted that the deposit of amount will be without any prejudiced to the rights and contentions of the petitioner before the appropriate court/forum. This goes without saying.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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