

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42646 of 2014

Arising Out of PS.Case No. -198 Year- 2013 Thana -KARAKAT District- SASARAM (ROHTAS)

Uday Singh Son of Late Bal Bachan Singh, Resident of Village-Baradihan,
P.S.-Karakat, District-Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Power Holding Company Limited, Baily Road, Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey, Advocate
For the Opposite Party/s : Mr. Dilip Kumar (APP)

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 23-07-2015 The petitioner figured as accused in Karakat P.S.

Case No.198 of 2013 wherein offences punishable under Section
379 of the Indian Penal Code read with Section 135 of the
Electricity Act are alleged.

Apprehending his arrest, the petitioner filed ABP
No.2390 of 2013 before the Sessions Judge, Rohtas, Sasaram.
The same was rejected on 03.01.2014. Hence, this application
under Section 438 Cr. P.C.

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The prosecution of consumers, who are found to
have pilferaged electricity, is in addition to the steps for
recovery of the loss caused to the Department. The quantum
mentioned in the FIR is a bit insignificant. This Court is of the

view that it is not necessary to arrest the petitioner for further progress in the matter.

Therefore, the application is allowed. It is directed that in the event of arrest, the petitioner shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Karakat P.S. Case No.198 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(L. Narasimha Reddy, CJ)

Sunil/-

U		T	
---	--	---	--