

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12578 of 2015

Arising Out of PS.Case No. -227 Year- 2014 Thana -SIRDALA District- NAWADA

Vijay Prasad, son of Rameshwar Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indradeo Prasad

For the Opposite Party/s : Mr. Amit Kumar Rakesh (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 18-05-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Sirdala P.S. Case No. 227 of 2014 registered for the offences
punishable under Section 379 of the Indian Penal Code and
Section 135 of the Electricity Act.

The accusation against the petitioner is that he was
found illegally consumed electrical energy causing loss to the
electricity department to the tune of Rs. 93,315/-.

The contention on behalf of the petitioner is that no
provisional assessment was served upon the petitioner and,
accordingly, petitioner could not get an opportunity to challenge
the provisional assessment of the concerned officials. It is further
contended by him that as a matter of fact, the informant lodged

this case in collusion with the enemies of the petitioner.

It is further contended by learned counsel for the petitioner that according to prosecution case, only 12 feet wire is said to have been recovered and as a matter of fact, at the time of alleged occurrence, the flour mill of the petitioner was not running.

Regard being had to the facts and circumstances of the case as well as submissions of the parties, I am not inclined to grant the privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail in connection with Sirdala P.S. Case No. 227 of 2014 pending in the court of Special Judge, Electricity, Gaya stands rejected.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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