

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41804 of 2015**

Arising Out of PS.Case No. -79 Year- 2015 Thana -AGAMKUAN District- PATNA

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Rajesh Kumar Gupta, son of Shri Nawal Gupta, resident of Mohalla- Bari Pahari, P.S. Agam Kuan, Town and District- Patna.

.... .... Petitioner/s

Versus

1. State of Bihar
2. South Bihar Power Distribution Co. Ltd., Vidyut Bhavan, Bailey Road, Patna.

.... .... Opposite Party/s

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Appearance:

For the petitioner: Mr. Raja Ram Mishra

For the Opp. Parties: Mr.Padma Deo Narayan

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA**  
**ORAL ORDER**

5      30-11-2015      Heard learned counsel for the petitioner and learned A.P.P. for the State as also learned counsel for the South Bihar Power Distribution Company Ltd.

The petitioner prays for anticipatory bail in a case registered under Section 135 of the Electricity Act, 2003.

The petitioner in his application has stated that he has no criminal antecedent.

In the counter affidavit filed on behalf of the South Bihar Power Distribution Company Ltd., it is stated that the petitioner had earlier also committed theft of electrical energy for which an F.I.R., being Agamkuan P.S. Case No.94 of 2005, was filed against him.

In reply to the counter affidavit-cum-supplementary

affidavit, the petitioner admits the aforesaid fact.

In the aforesaid circumstances, the petitioner having made a false statement in the anticipatory bail application, his prayer for grant of anticipatory bail is not fit to be considered.

The anticipatory bail application is, accordingly, dismissed.

**(Ramesh Kumar Datta, J)**

V.P.Sinha/-

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