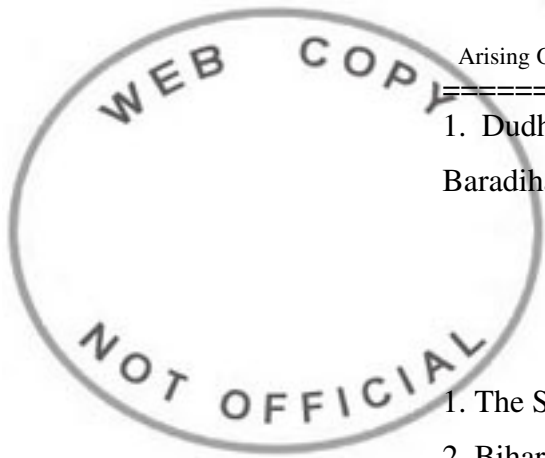


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1338 of 2016



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

1. Dudheshwar Singh Son of Ram Lakhan Singh Resident of Village -
Baradihan, Police Station - Karakat, District - Rohtas.

.... .. Petitioner/s

Versus

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

.... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Rang Nath Choubey, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 02-02-2016 Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code and 135 of the Electricity Act.

Accusation against the petitioner is that the petitioner has two premises, but he has electricity connection of one premises and in other premise electricity energy has been consumed unauthorisedly, causing loss of Rs. 20,776/-.

It is submitted by the learned counsel for the



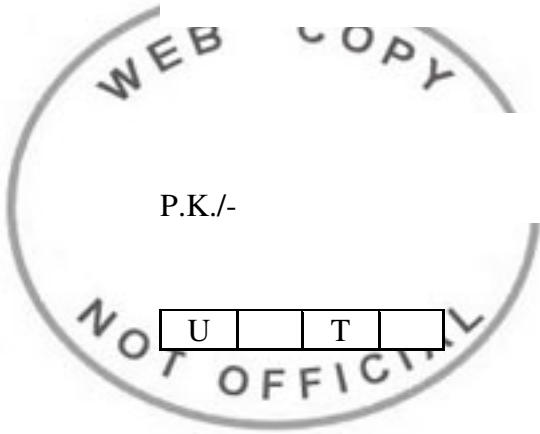
petitioner that petitioner has electricity connection for both the premises and refer the receipt on the record as Annexure-3. The counter affidavit has been filed by the South Bihar Power Distribution Company and only statement to that effect has been made in para-6 of the petition that production of two receipts are not the proofs of electric connection. No denial has been made that actually in two premises electric connection have been given or not which reflects the casual manner, the South Bihar Power Distribution Company has lodged the First Information Report. Statement to that effect has been made in para-6 of the petition which reads as follows:-

“That the petitioner has produced only to receipts and receipts are not the proof of electric connection. There are other formalities due for valid connection.”

Other co-accused persons, who have been made accused in the same First Information Report, have been granted bail by a Coordinate Bench of this Court vide Cr. Misc. No. 42646 of 2014 and 5508 of 2014.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



(Dinesh Kumar Singh, J)