

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12524 of 2016

Arising Out of PS.Case No. -134 Year- 2015 Thana -ARIYARI District- SEKHPURA

=====

1. Balmiki Chauhan S/o Shiv Chauhan resident of Village Toran Bigha, PS Ariyari District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Parvez Alam, S/o Late Md. Mainuddin resident of Village Bankahi Shukul Tola Baikunthpur, Dist Gopalganj at present Assistant Junior Engineer, Electricity Supply, Sheikhpura South Bihar, Power Distribution Company Ltd.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Mr. Md.Ansarul Haque(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-03-2016 Heard learned counsel for the petitioner and the State.

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

Prosecution case is of running flour mill and consumption of electric energy unauthorizedly, the loss incurred was calculated to the tune of Rs. 1,68,951/-.

Learned counsel for the petitioner submits that under some misconception, allegations have been levelled and the loss calculated is inflated one. However, learned counsel for the petitioner submits that the petitioner is ready to pay 50% of the

calculated loss of Rs. 1,68,951/- within a period of three months.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for four months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sheikhpura, in connection with Ariyari P.S. Case No. 134 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C..

The provisional bail of the petitioner will be confirmed by the learned court below on deposit of 50% of the alleged calculated loss before the authorities of South Bihar Power Distribution Company Limited within a period of three months.

The above deposit will be subject to assessment of compounding proceedings under the Act.

(Dinesh Kumar Singh, J)

sunil/-

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