

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15614 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Ramashish Mahto @ Amit Sinha Son of Tega Mahto R/o Village Hardiya
Chauk, P.S. Shikarpur, District West Champaran

.... Petitioner

Versus

The State of Bihar Through Managing Director, Bihar State Power Holding
Company, Patna

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Aditya Nath Jha, Advocate

For the Opposite Party : Mr. Vinay Kirti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Shikarpur P.S. Case No. 49 of 2016 for the offences
instituted under Sections 379 and 420 of the Indian Penal Code
and Section 135 of the Electricity Act.

As per the prosecution case the informant alleging
therein that on 25.01.2016 during inspection in the premises of
petitioner, it was found that electric energy was being consumed
by unauthorized connection (toka) and by said act petitioner has
put company in loss of Rs. one lacs seventy two thousand nine
hundred thirty.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner has falsely been implicated in the present case. He is a bonafide customer of the respondent no.1. The question of theft of electricity does not arise as the supply line made available in the village of the petitioner is by way of concealed wire. It is further submitted that the petitioner is ready to deposit 25% of the total amount of Rs.1,72,930/- in the court below which shall be subject to the final disposal of the case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R but since he is ready to deposit the amount in question, he may be granted anticipatory bail.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit 25% of the total amount of Rs.1,72,930/- in the court below which shall be subject to the final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with **Shikarpur P.S. Case No. 49 of 2016** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM, Bettiah, West Champaran**, subject to the conditions as

laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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