

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20038 of 2016

Arising Out of PS.Case No. -290 Year- 2015 Thana -RAJAULI District- NAWADA

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Manohar Singh @ Vikash Prasad Singh Son of Late Hira Singh Resident of
Vilolage-Rajauli, Police Station Rajauli in the district of Nawada.

.... Petitioner

Versus

1. The State of Bihar.
2. South Bihar Power Distribution Company Ltd through its managing
Director Vidyut Bhawan, Bailey Road, Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Prabhu Narayan Sharma, Advocate.

For the Opposite Parties : Mr. Rajendra Prasad Nat (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-07-2016 Heard both sides.

The petitioner apprehends his arrest in Rajauli P.S. Case No.
290 of 2015 registered for the offence punishable under Section 135 of
the Indian Electricity Act.

The informant Assistant Engineer, Electricity Supply, Sub-
Division, Rajauli alleged that the petitioner was illegally consuming
electric connection and he was running a tube well for irrigation
purpose. It is further alleged that Uma Devi had electric connection
vide RJ1397/NA38163 of 3 HP motor, but the same was disconnected
due to non-payment of electricity charge. It is alleged that the petitioner
committed theft of electrical energy of Rs. 2,94, 901/-.

It is submitted that the petitioner is not at all related with
Uma Devi. Uma Devi was the wife of Late Hare Krishna Prasad Singh

and her electric connection was disconnected in the year 1979. Uma Devi paid all dues under a scheme in the year 1981. The land on which the seizure was made does not belong to the petitioner and the informant has not filed any chit of paper to show that the petitioner is the owner of the land and was irrigating the field.

Learned counsel for South Bihar Power Distribution Company Ltd. has not been able to produce any chit of paper to show the ownership of the petitioner over the land.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Electricity, Magadh Area, Gaya in Rajauli P.S. Case No. 290 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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