

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45533 of 2016

Arising Out of PS.Case No. -592 Year- 2013 Thana -GAYA MUFFSIL District- GAYA

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1. Bheem Ram S/o Late Karu Ram, Resident of Mohalla- Bulla Shaheed
(Near Jagjivan College), P.S.- Maofassil, Distrsict- Gaya.

.... Petitioner/s

Versus

1. The Bihar State Electricity Board, Now Known as Bihar State Power
Holding Company through its Chairman.
2. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and the learned
counsel for the State.

The petitioner prays for antipatory bail in connection with
Muffasil (Gaya) P.S. Case No. 592 of 2013 registered for the offences
punishable under Section 135 of the Electricity Act.

It has been submitted on behalf of the petitioner that this out
and out case wrong billing of the Electricity Board. It has further submitted
that earlier bill of Rs. 96,000/- had been submitted to the petitioner but later
on along with the penalty their final bill worth of Rs.1,71,676/- It has further
submitted by learned counsel for the petitioner that the bill of the petitioner is
not correct in this connection he has lodged a protest before Power Holding
Company no reply has been received, rather case has been lodged against the
petitioner.

Learned counsel for the Power Holding Company opposes the



prayer of bail application. It has also been submitted by learned counsel for Power Holding Company that this is a case of theft of Electricity and due to that the aforesaid amount has been levied against the petitioner.

Considering the facts and circumstances of the case and other materials reflected from the record including the impugned order, I am not inclined to extend him the privilege of anticipatory bail. Accordingly the prayer for bail is rejected.

The petitioner may surrender before the court below after three weeks from today and pray for bail, if he does so. However in the mean time the company shall examine the protest petition of petitioner and submit the report before the court below who shall consider the same and disposed of on the same day on its own merit without being influenced by the present order.

Thus, this petition is accordingly disposed of.

(Vinod Kumar Sinha, J)

siddharth/-

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