

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47713 of 2016

Arising Out of PS.Case No. -416 Year- 2013 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. Suresh Kumar Keshan S/o Late Umashankar Keshan, proprietor of M/s Mohan Mills, Chhota Ramna, P.S.- Bettiah Town, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

2. North Bihar Power Distribution Co. Ltd. through its Managing Director, Vidyut Bhawan, Bailey Rd. Patna.

3. General Manager, North Bihar Power Distribution Co. Ltd. Vidyut Bhawan, Bailey Rd. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Gupta

For the Opposite Party/s : Mrs. Sucheta Yadav

Mrs. Nivedita Nirvikar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 18-11-2016

Heard the Counsel for the petitioner and Mrs.

Nirvikar for the Company.

Petitioner apprehends his arrest in Bettiah Town P.S.

Case No. 416 of 2013 registered under section 379 of the Indian

Penal Code and Sections 135/136 of the Electricity Act.

The allegation is that by tampering the electric meter installed in the premises, the petitioner was committing theft of energy which caused loss to the Company in the sum of Rs. 94,578/-. Counsel for the petitioner submits that to secure the privilege of bail, the petitioner is ready and willing to deposit certain percentage of the alleged loss sustained by the informant as directed by the Court.

Having heard both the sides, the present application is

disposed of by the following order:

In the event of arrest or surrender in the Court below within five weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, Bettiah in Bettiah Town P.S. Case No. 416 of 2013 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

- (i) Along with the bail bonds, the petitioner shall produce receipt/document showing deposit of 50 % of the loss amount as reflected in the First Information Report in the office of the informant or the Electric Company. The amount so deposited by the petitioner shall be subject to the result of the case or the assessment proceeding, if any, initiated against the petitioner by the Company in accordance with law.
- (ii) One of the bailers shall be the own/close family members of the petitioner.

(Kishore Kumar Mandal, J)

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