

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46737 of 2016

Arising Out of PS.Case No. -228 Year- 2015 Thana -GOPALPUR District- BHAGALPUR

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1. Nepali Devi @ Nenali Devi W/o of Sri Deep Narayan Mandal Resident
of Village- Sadhuwa, P.S. Gopalpur (Rangra), District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For Opposite Party-2 : Mrs. Nivedita Nirvikar, Adv.

For the State : Mr. Sri Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 05-12-2016

Heard both sides.

The petitioner apprehends her arrest in Gopalpur (Rangra) P.S. Case No. 228/2015, registered for the offences punishable under Sections 135 of the Electricity Act.

The Electric connection of the petitioner was disconnected as Rs. 89,881/- was lying due, but the petitioner was found running machines and the petitioner caused loss of Rs. 93,707/- to the Electricity Department.

Learned counsel for the petitioner submits that the petitioner has already deposited Rs. 58,800/-. The petitioner was granted anticipatory bail by the learned Sessions Judge vide order dated 31.10.2015 passed in ABP No. 1703/2015, but the petitioner fell ill and she could not deposit the remaining amount. The petitioner again filed ABP No. 1703/15 but the learned Sessions Judge has pleased to reject



the anticipatory bail petition on this ground alone that the petitioner did not return the entire amount.

Learned counsel for the South Bihar Power Distribution Company opposed the prayer for anticipatory bail but at the same time submitted that if the petitioner is ready to deposit the arrear and the loss cause to the Company within two months, the Company has got no objection.

Considering the facts aforesaid and the fact that the petitioner is lady and the petitioner is ready to deposit the remaining Rs. 1,25,000/- within two months from today, the petitioner above named in the event of her 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 learned Additional Chief Judicial Magistrate, Naugachia in connection with Gopalpur (Rangra) P.S. Case No. 228/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the petitioner fails to deposit Rs. 1,25,000/- within two months, learned court below shall cancel the bail bond of the petitioner immediately thereafter.

(Prabhat Kumar Jha, J.)

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