

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34150 of 2016

Arising Out of PS.Case No. -176 Year- 2013 Thana -MADANPURA District- AURANGABAD
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ANUJ KUMAR SINGH @ ANUJ KUMAR, Son of Nand Kishore Singh,
Resident of Village- Teldiha, P.S. Madanpur, District Aurangabad.

.... Petitioner

Versus

1. The State of Bihar.
2. The Bihar State Electricity Board through the Executive Engineer,
Electric Supply Division, Magadh Area Gaya.

.... Opposite Parties
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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ Manu, Advocate.
For the State : Mr. Umeshnand Pandit, A.P.P.
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 14-12-2016 Heard learned counsel for the petitioner and learned
counsel for the S.B.P.D.C.

The petitioner is apprehending his arrest in connection
with Madanpur P.S. Case No. 176 of 2013 for the offences
instituted under Section 135 of the Bihar Electricity Act.

The prosecution story, in brief, is that the petitioner is a
Guard in Airtel Mobile Tower at village-Shivganj. He in collusion
with the Technician of the Tower committed theft of electrical
energy directly by hooking in L.T. line, which caused loss of Rs.
4,01,297/-.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering with the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. There is no substantive evidence to suggest his implication in the present case.

On behalf of the S.B.P.D.C., it has been submitted that the petitioner is named in the F.I.R. and he is the owner of the land in question on which the Mobile Tower has been erected and there is theft of approximately Rs. 4,00,000/- electricity by the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Madanpur P.S. Case No. 176/2013, pending in the court of learned Special Judge, Electricity Magadh Area, Gaya. If the petitioner surrenders in the court below the same shall be considered on its own merit without being prejudiced by the order of this Court.

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(Sudhir Singh, J)

