

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27045 of 2016

Arising Out of PS.Case No. -397 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

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SAURAV KUMAR @ CHHOTTU SHARMA @ CHOTTU son of Late
Kauleshwar Singh resident of Village- Rampur,Police Station-
Makhdumpur,District-Jehanabad

.... Petitioner

Versus

1. The State of Bihar
2. The South Bihar Power Distribution Company Limited through its
Managing Director, Bihar Patna

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 01-07-2016

Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under section 135 of the Electricity Act.

Accusation is of consumption of electricity energy unauthorizedly for running flour mill through 5 HP electric motor.

It is submitted by the learned counsel for the petitioner that the seizure does not suggest that actually flour mill was being run. The loss is caused to the tune of Rs.1,84,820/-. It is further submitted by the learned counsel for the petitioner that the loss has been mechanically calculated. However, the petitioner is ready to make payment of 30% of the loss/ calculated amount within a

period of two months.

Considering the aforesaid stand, let the petitioner, abovenamed, be released on provisional bail for a period of three months, in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, 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 Makhdumpur P.S. Case No. 397/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below after submitting proof with regard to deposit of 30% of the loss/ calculated amount before the Executive Engineer, South Bihar Power Distribution Company, Jehanabad.

The above payment is subject to assessment or compounding proceeding.

(Dinesh Kumar Singh, J)

Surendra/-

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