

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10286 of 2016

Arising Out of PS.Case No. -429 Year- 2015 Thana -NAWADA District- NAWADA

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Basudeo Prasad S/o Late Ramtahal Mahato, resident of Mohalla- Rajendra Nagar, P.S. Nawadah, District Nawadah.

.... Petitioner/s

Versus

1. The Managing Director, South Bihar Power Distribution Company Limited Vidhyut Bhawan, Bailey Road, Patna-1.
2. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. C.Jawahar(App)

For the South Bihar Power Distribution Company : Mr. Vikash Chandra
Srivastava, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 03-03-2016

Heard learned counsels for the petitioner

and the South Bihar Power Distribution Company Ltd.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 135 of the Indian Electricity Act.

The accusation is of consumption of electricity energy unauthorisedly. The loss has been calculated to the tune of Rs.1,68,758/-.

It is submitted by learned counsel for the petitioner that the assessment has mechanically been made. However, the petitioner is deposit to deposit 50% of the alleged

calculated loss amount within a period of four months in four equal installments.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail provisionally for four months, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Electricity), Magadh Division Area, Gaya in connection with Nawadah P.S. Case No. 429 of 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 on deposit of 50% of the calculated loss amount of Rs.1,68,758/- within a period of four months. The above deposit will be subject to assessment or compounding proceedings.

(Dinesh Kumar Singh, J)

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