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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16724 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -FATEHPUR District- GAYA

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Satyendra Yadav @ Satyendra Prasad, son of Suman Yadav

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Rita Verma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-04-2016 Heard learned counsels for the petitioner and the South Bihar Power Distribution Company Limited.

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

The accusation is of consuming the electricity energy unauthorisedly by running flour mill through 5 H. P. Motor. The loss has been calculating to the tune of Rs.2,18,948/-.

It is submitted by learned counsel for the petitioner that only motor and three meters of wire have been recovered. There is nothing on record to suggest that the seized motor was used to run the flour mill. However, the petitioner is ready to make payment of 50% of the alleged loss calculated amount within a period of four months, before the Assistant Electric Engineer, South Bihar

Power Distribution Company Limited, Gaya, which will be subject to assessment/ compounding proceedings.

Considering the present stand of the petitioner, let him be released on provisional anticipatory bail for a period of five months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Electricity), Gaya in connection with Fatehpur P.S. Case No.53/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on filing of substantial proof with regard to deposit of 50% of Rs.2,18,948/- in four equal installments.

(Dinesh Kumar Singh, J)

Ashwini/-

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