

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22502 of 2016

Arising Out of PS.Case No. -44 Year- 2015 Thana -PANDAU District- MADHUBANI

=====

1. Ram Prasad Thakur son of Shiv Thakur, resident of Machhahatta Chowk,
Station Road, Pandaul, P.S.- Pandaul, District- Madhubani. Petitioner/s
Versus

1. The State of Bihar.

2. Vikash Kumar Gupta, son of Sri Shiv Das Gupta, at ward No.1 H. No.
139, Sahbajanj, district- Gorakhpur, presently posted as Electrical Junior
Engineer, Electric Supply Division, Pandaul, District- Madhubani.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satish Chandra Jha-3, Advocate

For the State : Mr. Md.Nazir Ansari(APP)

For the O. P. No.2 : Mr. Vijay Kumar Verma, Advocate

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 28-07-2016

Heard both sides.

The petitioner apprehends his arrest in Pandaul P.S.
case No.44 of 2015 under Section 135 of the Indian Electricity
Act.

The petitioner was found committing theft of
electrical energy by directly connecting connection from main
L. T. line. The petitioner was running a clinic. The informant
alleged that petitioner caused loss of Rs. 99,171/- to the electricity
department.

It is submitted that there is no basis for calculating
the loss.

It appears that petitioner was consuming 1058 watt
energy after connecting from main L. T. line. There was no

commercial connection, therefore, the Engineer has assessed the loss to the tune of Rs. 99,171/-.

The learned counsel for the petitioner submits that petitioner is ready to make the payment in two installments.

Accordingly, the petitioner is directed to deposit the first installment of Rs. 50,000/- within one month and second installment of remaining Rs. 49,171/- one month thereafter. Considering the facts, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of two months 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 Chief Judicial Magistrate, Madhubani in Pandaul P.S. Case No. 44 of 2015 (G.R. No. 585 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If the petitioner fails to deposit the entire amount within two months, the learned court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--