

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40122 of 2016**

Arising Out of PS.Case No. -150 Year- 2013 Thana -NAYA RAM NAGAR District- MUNGER

1. Kailash Prasad Yadav @ Kailash Prasad Jadav Son of Shivaji Yadav,  
Resident of Village- Singhiya, P.S.- Nayaram Nagar, District- Munger.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. The South Bihar Power Distribution Company Ltd.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Avinash  
For the State : Mr. Sri Harendra Prasad  
For the Board Mr. Ritesh Kumar

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

03/ 21.11.2016 Heard learned counsel for the petitioner as well as  
learned Addl. Public Prosecutor for the State and also heard  
learned counsel for the Electricity Board.

Petitioner apprehends his arrest in connection with a  
case registered under sections 135 and 138 of the Electricity  
Act.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in this  
case but even then without admitting the prosecution case, he is  
ready to deposit the amount in question subject to final result of  
this case. It is further submitted that presently, petitioner would  
deposit 20% of the amount in question and rest amount shall be  
paid by the petitioner in instalments.

Learned counsel appearing for the Board does not

raise any objection to the above stated proposal.

In view of the aforesaid submissions, it is ordered that, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger in Nayaram Nagar (Safia Sarai) P.S. Case no. 150/2013 subject to conditions as laid down under section 438(2) of the Cr.P.C and furthermore, he shall deposit Rs 25,000/- with Electricity department within one week from the date of execution of bail bonds before the court below and after that in six equal instalments he shall deposit rest amount within six months from the date of deposit of first amount. Any failure on the part of the petitioner shall give liberty to the court below to cancel the bail bond of the petitioner. The aforesaid deposit shall be subject to final decision of the case.

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(Hemant Kumar Srivastava,J)

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