

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51845 of 2016

Arising Out of PS.Case No. -80 Year- 2016 Thana -SHEIKHOPUR SARAI District- SEKHPURA
=====

Bikash Kumar, Son of late Ram Ratan Singh, Resident of Village- Chhema,
P.S. Sheikhopur Sarai, District- Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar.
2. Bihar State Electricity Board, Bidyutt Bhawan, Patna Bihar.

.... Opposite Parties
=====

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the BSEB : Mr. Ritesh Kumar, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.
=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 19-12-2016 Heard learned counsel for the petitioner, learned counsel
appearing for BSEB and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Sheikhopur Sarai P.S. Case no. 80 of 2016, registered under Sections
135, 138 of the Electricity Act.

The accusation is of committing theft of electric energy
by putting tokka in L.T. Line for running of flour mill by this
petitioner and for which the department has to cause loss of Rs.
2,05,794/-.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated this case mere on suspicion.
Further submission is that petitioner is ready to deposit the loss
amount i.e. Rs. 2,05,794/- caused by the Electricity Department in four



installments within four months.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on provisional bail for a period of 04 months, in the event of his arrest or surrender before the learned Court below within a period of four 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 A.C.J.M-1st, Sheikhpura, in connection with Sheikhopur Sarai P.S. Case No. 80 of 2016, subject to the condition 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 submission of receipt of Rs. 2,05,794/- deposited in the concerned department, within a period of four months. If the petitioner fails to furnish the receipt of the deposit of said amount within four months, the trial Court would be at liberty to cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

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