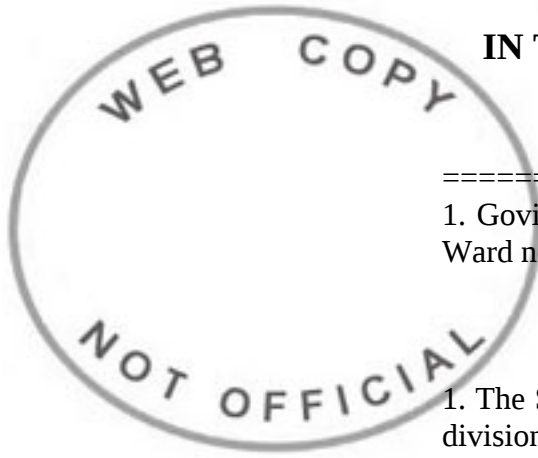




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41659 of 2016

Arising Out of PS.Case No. -359 Year- 2016 Thana -SUPAUL District- SUPAUL

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1. Govind Singh, son of Sri Sita Ram Singh, resident of Supaul Vidyapuri Ward no. 2, P.S.- Supaul, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar , through the Assistant Engineer Electric Supply Sub-division Supaul North Bihar Power Distribution Company Ltd.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Vinay Kirti Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 05-10-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence punishable under section 135 of the Electricity Act.

Allegedly, the petitioner was found supplying the electrical energy to Vodafone Mobile Tower after connecting his service wire near the meter by tampering and one phase L.T. line by fixing hook and in that way caused loss to the Electricity Department to the tune of Rs. 13,21,377/- and the petitioner was arrested.

Submission is of false implication that beneficiary is

the Vodafone Mobile Tower but no authority of Vodafone has been made accused and the petitioner has been made accused with ulterior motive, the petitioner is ready to deposit the loss amount in four equal installments within a year, the learned counsel for the Electricity Department has got no objection if the petitioner is ready to deposit the loss amount to the department.

In the facts and circumstances as stated above, in case the petitioner deposits 25% of the total loss amount in the account of the North Bihar Power Distribution Company Limited, Supaul Sub. Division within a fortnight then the petitioner shall be released on provisional bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Supaul in Supaul P.S. Case No. 359 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

It is made clear that thereafter the petitioner shall deposit 25% of the amount after three months and in that way the total loss amount will be deposited in four equal installments

within a year and then after deposit of total loss amount the bail of
the petitioner shall be confirmed by the learned court below itself.

(Jitendra Mohan Sharma, J)

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