

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41266 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -BELAGANJ District- GAYA

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1. Karu Prasad Son of Ramanuj Mahto Resident of Village- Arki, P.S. Belaganj in the District of Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The M.D. South Bihar Power Distribution Corporation, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-10-2016

Heard both sides.

The petitioner apprehends his arrest in Belaganj P.S. case No. 57 of 2016 under Section 135 of the Electricity Act.

The petitioner is alleged to have committed theft of electrical energy worth Rs. 2,56,750/-. The petitioner was running flour mill and de-husking machine without having valid connection and thereby he caused loss of Rs. 2,56,750/- to the South Bihar Power Distribution Company Ltd.

The learned counsel for the petitioner submits that petitioner is ready to deposit the entire amount subject to the settlement in view of provisions of Section 152 of the Electricity Act.

The learned counsel appearing for the Company did not raise any objection.

Considering the facts aforesaid and the fact that petitioner is ready to deposit the entire amount in four equal installments, in four months, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks 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, Gaya in Belaganj P.S. Case No. 57 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If the petitioner fails to deposit any installment in four months, the learned court below shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J)

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