

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21077 of 2013

Arising Out of PS.Case No. -66 Year- 2013 Thana -BAKHTIYARPUR District- PATNA

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Sunil Prasad @ Sunil Kumar Chaurasia S/O Late Kedar Nath , resident of
Station Road, Bakhtiyarpur, P.S.- Bakhtiyarpur, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sidhendra Narayan Singh, Adv.

For the Opposite Party/s : Mr. D.P.Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-03-2016 Heard Sri Sidhendra Narayan Singh, learned counsel

for the petitioner and Sri D.P.Tiwary, learned Addl. Public

Prosecutor.

The petitioner, invoking inherent jurisdiction under
Section 482 of the Code of Criminal Procedure, has prayed for
quashing of an F.I.R. in Bakhtiyarpur P.S. Case No.66/2013
registered for the offence under Section 135 of the Electricity Act.

It was submitted by learned counsel for the petitioner
that F.I.R. is required to be quashed on the ground that maliciously
the F.I.R. has been lodged. He submits that earlier also in relation
to theft of electricity , the petitioner was made accused, in which
the petitioner was put on trial and finally, he was acquitted.
According to learned counsel for the petitioner, since the

petitioner was earlier made accused, maliciously the present case has been instituted. He further submits that since there was allegation of consuming electricity more than the meter reading, the petitioner may be granted liberty to avail remedy under Section 126 of the Electricity Act. However, he is not in a position to dispute that the F.I.R. discloses cognizable offence under Section 135 of the Act.

Besides hearing learned counsel for the parties, I have also perused the materials available on record. I do not find any ground for interference with the F.I.R. The petition stands dismissed.

(Rakesh Kumar, J)

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