

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34795 of 2013

Arising Out of PS.Case No. -255 Year- 2013 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

1. Pramod Chaudhary S/O Sri Ramashish Chaudhary Proprietor Of Kali
Construction, Resident Of Mohalla- South Bazar Samiti Kasturba Nagar,
P.S.- Bhadhurpur, Distt.- Patna

.... Petitioner

Versus

1. The State Of Bihar
2. The State Electricity Board Patna
3. The Assistant Electrical Engineer Electric Supply Sub Division Bettiah
.... Opposite Parties

Appearance :

For the Petitioner : Mr. Mukesh Kumar No-1
For the State : Mr. Navin Kr. Pandey (App)
For NBPDCCL : Mr. Ratan Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 15-03-2016 Learned Counsel appearing on behalf of the
North Bihar Power Distribution Company Limited has
submitted that if the petitioner deposits the compounding
fee, as prescribed under Section 152 of the Electricity Act,
2003, the Company shall proceed for compounding the
offence as prescribed under sub-clauses (2) and (3) of
Section 152 of the Electricity Act, 2003.

From the records, I find that the petitioner has
deposited Rs. 1,60,399/- which, according to the First
Information Report, was the loss caused to the Company
because of the theft of energy by the petitioner.

Considering the stand taken on behalf of the

Company and the Division Bench decision of this Court in the case of **Mosmat Swaran @ Swaran Manraw v. The State of Bihar and Another**, reported in **2012 (2) PLJR 229**, it is directed that if the petitioner deposits the compounding fee, as contemplated under Section 152 (1) of the Electricity Act, 2003, within a period of four weeks from today, the Company shall proceed accordingly considering the directions issued in paragraphs 28 to 31 in the said decision.

No coercive steps against the petitioner shall be taken in the mean while in connection with Bettiah (M) Police Station Case No. 255 of 2013.

This application stand disposed of accordingly.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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