

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19346 of 2014

Arising Out of PS.Case No. -2 Year- 2009 Thana -GOPALPUR District- PATNA

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Vijay Kumar Kedia, S/O Late Kashi Prasad Kedia, R/O Village - Ellahibag, P.S. -
Gopalpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Electricity Board through its Secretary, Vidyut Bhawan, Bailey Road, Patna -1.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Smt. Rina Sinha, Advocate.

For the Opposite Party/s : Mr. Prakash Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 29-06-2017

Heard learned counsel for the parties.

This quashing petition is filed by the petitioner against the impugned order dated 21.08.2010 passed by the learned Chief Judicial Magistrate, Patna in Gopalpur P.S.Case No. 02 of 2009, whereby he has taken cognizance of offence under Section 135 of the Bihar Electricity Act.

Learned counsel for the petitioner submits that the petitioner has already deposited the loss amount with the Electricity Department, so cognizance order may be set aside.

The allegation against the petitioner is that he was committing electrical theft for running his industry in his industrial complex by-passing the connection from the meter putting loss to



the Electricity Department to the tune of Rs. 1,26,815/-.

Depositing the loss amount cannot be a ground for quashing cognizance order. There is a provision for compounding the offence of electrical theft under Section 152 of the Electricity Act, but the same still has not been done by the petitioner. Therefore, there is no ground for interfering with the cognizance order. According, this petition is dismissed.

(Arun Kumar, J)

Sujit/-

AFR/NAFR	NAFR
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