

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10968 of 2017

Arising Out of PS.Case No. -571 Year- 2016 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Nitesh Kumar, S/o Shri Narayan Sharma, Resident of Village-
Banuchhapar, Near Khad Godam, P.S.- Bettiah Mufassil (Banichhapar),
District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Junior Electrical Engineer, Bettiah Town-01, Distt- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 20-03-2017 Heard the learned counsel for the petitioner as well as

the learned counsel for the North Bihar Power Distribution

Company Limited.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Bettiah Town P.S. Case
No. 571 of 2016 for the offence punishable under section 406/34
of the I.P.C.

Allegedly, the petitioner being the Meter Reader took
away the meter from the house of Smt. Kirhi Lata after taking Rs.
12,000/- to change another meter and the petitioner has demanded
Rs. 17,000/- out of which Rs. 12,000/- was paid and the rest



amount was to retain and during enquiry this fact was detected and accordingly FIR has been lodged by the Junior Engineer against the petitioner and the consumer.

Submission is of false implication and that the meter has already been installed, there was some delay in installing the meter due to heavy work load, the meter which was taken out was not functional and as such the petitioner has not committed any offence and as such he deserves sympathetic consideration.

The learned counsel appearing on behalf of the North Bihar Power Distribution Company Limited opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner being in collusion with the consumer has taken out the meter to cause loss to the Electricity Department.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Bettiah, West Champaran.

(Jitendra Mohan Sharma, J)

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