

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18199 of 2017

Arising Out of PS.Case No. -471 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Sudhir Kumar Tiwary @ Jhunnu Tiwary @ Jhunu Tiwary, S/o Late Rajdeo Tiwary, R/o Madhubani Ghat, P.S. Motihari Mufassil, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate.

For the B.S.E.B. : Ms. Soni Shrivastava, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

5 28-08-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Muffassil P.S. Case No. 471 of 2016, registered under Sections 136, 137, 138, 139 and 140 of the Electricity Act, 2003.

The accusation is that the petitioner who was engaged as Contractor to fix the electric meter in the house of the consumers and on showing the false receipts fixed the electric meters in 14 houses. The duty of the petitioner was to deposit Rs.875/- for each electric meter but he did not deposit and misappropriated the money with regard to 14 electric meters.

Learned counsel for the petitioner submits that while



no fault has been committed by the petitioner being the Contractor in fixing the electric meters in the houses of 14 consumers but in spite of that he is ready to pay Rs.12250/-, which is said to be misappropriated by the Electric Department, on protest.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today on showing the receipt of depositing Rs.12250/- to Electricity Department and furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran, Motihari, in connection with Muffassil P.S. Case No. 471 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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