

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29550 of 2014

Arising Out of PS.Case No. -137 Year- 2012 Thana -JHAJHA District- JAMUI

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Jhari Yadav son of late Nunu Lal Yadav resident of village Mahapur , P.s.
Jhajha, Dist. Jamui.

.... Petitioner

Versus

1. The State of Bihar.
2. Subhash Kumar, Assistant Electrical Engineer, Electric Supply Sub
Division, Jhajha, Dist. Jamui.

.... Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Alok Kumar, Advocate
		Mr. Prabhat Ranjan Singh, Advocate
For the State	:	Mr. Ajay Kumar-I, APP
For O.P. No.2	:	Mr. Akhileshwar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 30-06-2017

Heard learned counsel for the parties.

The petitioner has moved this Court for quashing the
First Information Report bearing Jhajha P.S. Case No.137 of 2012
for the alleged offence under Sections 135 of the Indian Electricity
Act, 2013 and Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
investigation is still going on and allegation is that the petitioner
was committing electrical theft and running a flour mill but there
is no recovery of any motor, therefore, seeks indulgence of the
Court to quash the First Information Report. It is also submitted
that the petitioner is a valid consumer.

Learned counsel appearing on behalf of the



Electricity Board has filed a counter affidavit and submits that the petitioner had the electricity connection for agriculture purpose but in the present case the petitioner was found committing electrical theft by putting a hook over the transmission line and directly taking illegal energy and running flour mill and put in loss to Electricity Board to the tune of Rs.3,21,000/-.

Considering the nature of specific allegation against the petitioner, this Court finds that this is not a fit case for setting aside the First Information Report bearing Jhajha P.S. Case No.137 of 2012.

In the result, the quashing petition is dismissed.

(Arun Kumar, J.)

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