

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44448 of 2017**

Arising Out of PS.Case No. -399 Year- 2016 Thana -SONEPUR District- SARAN

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1. Santosh Prasad Son of Late Late Shivji Prasad, Resident of Village-  
Dudhaila Gachhi, Police Station-Sonepur, District-Saran at Chapra (Bihar).

.... .... Petitioner/s

Versus

1. The State of Bihar
2. South Bihar Power Holding and Distribution Company Ltd. Patna.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Smt. Indu Bala Pandey (APP)

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

2      22-09-2017                      Heard learned counsel for the petitioner, learned  
counsel for the South Bihar Power Holding and Distribution  
Company Ltd. and also learned counsel for the State.

The petitioner apprehends his arrest in connection  
with Sonepur P.S. Case No. 399 of 2016, registered for the  
offences punishable under Section 135 of the Electricity Act.

Allegedly, the petitioner was using electric power  
illegally and caused loss to the department of Rs. 19,255/- and was  
using electricity for non-domestic purpose.

Submission is of false implication and that the  
informant who has lodged this case has issued letter no. 792 dated  
25.01.2017 stating therein that the electric connection of the  
petitioner is correct and, as such, the F.I.R. should be withdrawn.



The Junior Engineer has written to the Officer In-charge, Sonapur, in this regard and, as such, the petitioner deserves sympathetic consideration.

The learned counsel for the South Bihar Power Holding and Distribution Company Ltd. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering Annexure-3, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1<sup>st</sup> , Saran at Chapra, in connection with Sonapur P.S. Case No. 399 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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