

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42936 of 2016

Arising Out of PS.Case No. -208 Year- 2015 Thana -FATUHA District- PATNA

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1. Sri Singh @ Sir Bhagwan Singh son of late Khardhari Singh @ Khadagadhri Singh resident of village - Murajpur, P.S. Fatuha, District - Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. The South Bihar Power Distribution Company Ltd. through Electric Engineer, Electric Supply, Sub-Division, Fatuha, District - Patna.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sri Krishna Ranjan
For the Opposite Party/s : Mr. Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 16-01-2017 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Fatuha P.S. Case No. 208 of 2015 for the offence instituted under Section 135 of the Electricity Act.

The allegation against the petitioner is that he was found running a Flour Mill by fastening hook from LT line, which caused revenue loss of Rs. 3, 29, 016/- to the South Bihar Power Distribution Company Limited.

It has been submitted on behalf of the petitioner that the petitioners has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. He has



falsely been implicated in the present case. No proper seizure list has been prepared. There is no compliance of Section 135(3) of the Electricity Act.

On behalf of the State and the counsel for the South Bihar Power Distribution Company Limited, it has been submitted that the petitioner is named in the F.I.R. Specific allegation has been made against him in respect to committing theft of electricity. He was running a Flour Mill by fastening hook from LT line, which caused revenue loss of Rs. 3, 29, 016/-.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail of petitioner is rejected in connection with Fatuha P.S. Case No. 208 of 2015, pending in the court of learned Judicial Magistrate, 1st Class, Patna City, Patna.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J.)

Amit/-

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