

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1605 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -BHARGAWAN District- ARRARIA

- =====
1. Ashok Sah, S/o Lakshman Sah, resident of village- Shekpura,
Raghunathpur, P.S. - Bhargama, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Electricity Board, now Managing Director, North Bihar
Power Distribution Company Ltd, Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 19-01-2017

Heard learned counsel for the Petitioner and the
State. None appears on behalf of the North Bihar Power
Distribution Company Ltd.

The Petitioner apprehends his arrest in Bhargama
P.S. Case No.62 of 2016 instituted for the offence under
Section(s) 135,138 of the Electricity Act.

There is allegation against the petitioner that he
caused electric theft in his Welding Shop causing loss of
₹2,50,712/- to the North Bihar Power Distribution Company Ltd.

Yesterday, the case was adjourned for today
because of non-availability of the counsel for the North Bihar
Power Distribution Company Ltd. but today also none appears on
behalf of the North Bihar Power Distribution Company Ltd.

It has been submitted on behalf of the petitioner that
he is ready to deposit the half of the amount and the remaining



amount he will pay subject to the final decision of the case.

In such circumstances, the petitioner is directed to deposit ₹25,000/- as a first installment within four weeks and thereafter he will make payment of further ₹1,25,000/- in five equal installments of ₹25,000/-, which shall be deposited latest by the last day of every month. Rest of the amount will be payable subject to the final decision of the case.

In the event the petitioner (Ashok Sah) deposits first installment of ₹25,000/- and surrenders within four weeks from today in connection with Bhargama P.S. Case No.62 of 2016, he shall be released on provisional anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438(2) Cr. P. C.

After deposit of all the six installments by the petitioner, the Court below will confirm his provisional bail. If the petitioner fails to deposit any installment, the Court below will be at liberty to pass necessary orders in accordance with law.

(Sanjay Priya, J)

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