

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17175 of 2017

Arising Out of PS.Case No. -527 Year- 2016 Thana -NAWADA District- NAWADA

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1. Md. Dilshad Anwar @ Bablu Malik Son of Late Md. Ehsanul Haque
Resident of Ladies Choice and Gift Counter, Bundelkhand near Railway
Gumati, Mirdah Toli, P.S. - Bundel Khand, District - Nawada
..... Petitioner

Versus

1. The State of Bihar
2. The Managing Director, South Bihar Power Distribution Co. Ltd, Vidyut
Bhawan, Bailey Road, Patna
..... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Sinha, Adv.
For the State : Mr. Dr. Indwar Kumari, APP 22
For the Electricity Board : Mr. Vikas Chandra Srivastava, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-04-2017 Heard the learned counsel for the petitioner
and the State.

This is a petition for grant of anticipatory bail for
offence under Section 135 of the Electricity Act, 2003.

The authorities of electricity conducted raid in
the business premise of Lacy Choice Gift Counter and
found a case of electricity theft. It is disclosed that there
was dues of Rs.5,97,097/- on the electricity connection
bearing No. NWD/2489 NA 14985, hence, electricity
supply was already disconnected, in spite of that
electricity theft was being done. The raid was conducted
on 16.09.2016.

Submission of the petitioner is that Annexure 4
would show that earlier electric meter was in the name of
Md. Shamshul Haque, the uncle of the petitioner and



electric supply was disconnected due to electricity dues. The brother of this petitioner, Md. Naushad Alam, had let out the referred premise to a tenant on 30.01.2016 vide the written agreement, at Annexure 3, and there was specific stipulation in condition no. 2 that the tenant would instal his own electric meter, which he did not do. In the circumstances only tenant is liable not for payment of arrears, but, for payment of the current loss.

Considering the aforesaid fact, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Nawada Nagar (Bundelkhand) P.S. Case No. 527 of 2016** to the satisfaction of the **Special Judge, Electricity Magadh Area, Gaya**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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