

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45062 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -GWALPARA District- MADHEPURA

=====

1. Raju Gupta @ Tara Gupta @ Tana Gupta @ Tuna Gupta S/o Siyaram Gupta, resident of Village- Gwalpara, P.S.- Gwalpara, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. North Bihar Power Distribution Company Limited through Assistant Electrical Engineer, Electric Supply Sub- Division, Uda- Kishunganj, District- Madhepura.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-10-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 135/138 of the Electricity Act, 2003.

The petitioner had applied for non-domestic connection with the North Bihar Power Distribution Company Ltd. The petitioner deposited application money of Rs.3600/- on 25.05.2017. On the same day the petitioner deposited Rs.400/- as Electric Connection charges. Simultaneously, the petitioner deposited Rs.75/- for providing service connection. Thereafter on 17.06.2017 the business premise of the petitioner was raided and the authorities noticed the use of electricity without proper



authority.

Submission of the learned counsel for the petitioner is that on deposit of application fee the electric supply was temporarily restored by the department concerned till they procure the electric meter and the factual position of this case does not disclose malice on the part of the petitioner.

After hearing the parties and considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Gwalpara Police Station Case No. 88 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

