

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12337 of 2017**

Arising Out of PS.Case No. -207 Year- 2016 Thana -BARHARIA District- SIWAN

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Sharda Nand Sharma @ Sri Shardanand Sharma, son of Yogeshwar Sharma, Resident of village- Surhaiya, Police Station- Barharia, District- Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar
  2. North Bihar Power Distribution Co. Ltd. through its Managing Director.
- .... .... Opposite Party/s
- =====

**Appearance :**

For the Petitioner/s : Mr. Raghav Prasad, Advocate.  
For the Opposite Party/s : Mr. Smt. Veena Rani Prasad, APP.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**  
**ORAL ORDER**

8      20-06-2017                      Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Barharia P.S. Case No. 207 of 2016, registered under Sections 135 and 138 of the Electricity Act.

The accusation is that, in course of raid, petitioner was found using the electric energy from the Main L.T. Line by putting Tokka and caused loss of Rs.1,39,950/- to the Electric Department.

Learned counsel for the petitioner submits that, in fact, petitioner is bona fide consumer of the electric power by obtaining the legal connection and electricity bill is being paid by him, which would appear from annexure 2 to the petition. The officials



of the Electricity Department made demand of money as bribe. When the petitioner refused to give illegal money to the official of the Electricity Department then they lodged the present case. Further submission is that when the petitioner stated in the petition about legal connection then in counter affidavit it is asserted that the theft of electric power was committed by the petitioner in newly constructed house.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Barharia P.S. Case No. 207 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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