

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54230 of 2013

Arising Out of PS.Case No. -110 Year- 2013 Thana -DALSINGHSARAI District- SAMASTIPUR

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Raj Kumar @ Raj Kumar Varnwal S/O Sri Bhuwadeshwar Prasad Resident Of
Bhagwanpur Chakshekhu, Ward No. 6, P.S. Dalsingsarai, District Samastipur.

.... Petitioner/s

Versus

1. The Bihar State Electricity Board, Through Its Chairman, Vidyut Bhawan, Bailey Road, Patna, Bihar.
2. The Chairman Electricity Board, Vidyut Bhawan, Bailey Road, Patna, Bihar.
3. The Superintending Engineer, Bihar Electricity Board, At Kashipur, P.O. Kashipur, District Samastipur.
4. The Executive Engineer, Bihar State Electricity Board At Kashipur, P.O. Kashipur, District Samastipur.
5. Anil Kumar, The Assistant Engineer, Electricity Supply Sub Division, Dalsingsarai, District Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL JUDGMENT

Date: 09-05-2017

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 29.07.2013, passed by the Additional Chief Judicial Magistrate, Dalsingsarai, Samastipur, in Dalsingsarai P.S. Case No. 110 of 2013, wherein cognizance has been taken against the petitioner under Section 135 of the Electricity Act.

It has been submitted on behalf of the petitioner that petitioner has already paid the amount of loss as mentioned in the written report in the Electricity Department at the time of grant of bail. It has further been submitted that necessary action will have to be taken by the Electricity Department to compound the offence after



accepting the money which has already been deposited by the petitioner.

It has been submitted on behalf of the Electricity Board that there is compounding fees which has to be paid separately for compounding the offence. It has further been submitted that petitioner may be directed to pay the legal dues along with the compounding fees and thereafter the Electricity Department will take appropriate action.

This Court after looking into the written report and other material does not find any illegality in the impugned order dated 29.07.2013 passed by Additional Chief Judicial Magistrate, Dalsingsarai, Samastipur in Dalsingsarai P.S. Case No. 110 of 2013.

In such circumstance, the criminal miscellaneous application is disposed of with direction to the Electricity Department to settle the matter with the petitioner after accepting the legal dues as claimed in the written report along with the compounding fees in accordance with law and under the provisions of the Electricity Act.

(Sanjay Priya, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12/05/2017
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