

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27917 of 2018

Arising Out of PS. Case No.-186 Year-2017 Thana- BRAHMPUR District- Buxar

Dev Kumar Sah, S/o Late Kamala Sah, Resident of Village-Thara Road
Brahampur, P.S. Brahampur, District-Buxar.

... .. Petitioner

Versus

The South Bihar Power Distribution Company Ltd. Vidut Bhavan, Baily Road
Patna.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Adv.

For the Opposite Party/s : Mr. None.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 09-05-2018 Heard Sri Virendra Kumar, learned counsel for the

petitioner. None appeared either on behalf of South Bihar

Power Distribution Company Ltd. or on behalf of the State.

The petitioner, who is an electric consumer, has
approached this Court with a prayer to grant anticipatory
bail in Brahampur P.S. Case No.186/2017 registered for the
offence under Section 135 of the Electric Act.

Since Section 135 of the Electric Act is itself
compoundable, there is no need to consider the prayer for
anticipatory bail, however learned counsel for the petitioner,
on instruction, submits that the petitioner is ready to deposit
claimed amount i.e. total amount of Rs.1, 81, 621/- which



has been assessed to be loss caused to the Power Company.

Since an undertaking has been given by the petitioner subject to fixing payment on instalment, there is no reason to refuse the submission of learned counsel for the petitioner. Accordingly, the present petition stands disposed of with observation that the petitioner would be at liberty to pay claimed amount Rs.1, 81,621/- in six instalments. On the date of appearing before the court below, the petitioner will deposit first instalment and, thereafter, he will pay other five instalments every month.

It goes without saying that if the petitioner within six weeks from today appears before the court below and makes payment of first instalment, the petitioner, namely, Dev Kumar Sah shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Brahampur P.S. Case No.186 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

It is clarified that if any instalment as undertaken by the petitioner is not paid within time specified by this



court, his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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