

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27310 of 2018

Arising Out of PS. Case No.-835 Year-2017 Thana- BARACHATTI District- Gaya

Ramashish Chaudhary, S/o Jag Mohan Chaudhary, Resident of Village-
Jamuhar, P.O.- Bumuar, P.S.- Barachatti (Mohanpur), District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The South Bihar Power Company Ltd. Bidhyut Bhawan, Baily Road, Patna.
Through its Jr. Electrial/S/Mohanpur, Gaya namely Md. Umar Farooque
(informant).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Singh, Adv.
For the SBPDCL : Mr. Vijay Kumar Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 08-05-2018 Heard learned counsels for the petitioner, SBPDCL and
State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 135 of the Electricity
Act.

The accusation against the petitioner is of consuming
electrical energy for running a flour mill without proper electric
connection and thereby it has been alleged against the petitioner
to have committed theft of electric energy. The loss has been
calculated to the tune of Rs. 1,48,412/-



It is submitted by learned counsel for the petitioner that the petitioner runs the flour mill on generator. The petitioner never took any commercial electric connection, though he is having domestic electric connection. Moreover, the petitioner is ready to deposit 30% of the total calculated loss.

Learned counsel for the SBPDCL submits that the petitioner was found consuming electric energy unauthorizedly and the loss has been calculated to the tune of Rs. 1,48,412/- Hence, the petitioner may be directed to deposit at least 50% of the total calculated loss.

Considering the rival submits of the parties, without expressing any opinion on the merits of the case, on deposit of 30% of the total calculated loss amount, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Electricity, Magadh Area, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 835 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

The aforesaid amount will be subject to any order



being passed in compounding/assessment proceeding.

(Dinesh Kumar Singh, J)

Amrendra/-

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

