

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25769 of 2018

Arising Out of PS.Case No. -283 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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Sri Krishna Mistri @ Krishan Mistri @ Krishn Mistri @ Krishna Mistry S/o
Late Dasharath Mistri, R/o Mohalla- Khand Par, Babu Ram Talab, P.S. +
District- Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar.
2. The South Bihar Power Distribution Company Ltd. through District-Sheikhpura.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Shyam Kumar Singh
For SBPDCL : Mr. Rana Vikram Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 03-05-2018 Heard both sides.

The petitioner apprehends his arrest in Sheikhpura P.S.

Case No.283/2017, G.R. No.1009 of 2017 registered under
Section 379 of the Indian Penal Code and Section 135 of Indian
Electricity Act.

The informant, Junior Engineer, alleged that the
petitioner did not pay the electric charge and the arrears of due of
Rs. 92, 934/- and on account of non-payment of electric charge,
the electric connection of the petitioner was disconnected but the
petitioner again illegally connected the electric connection and
committed theft of energy of worth Rs. 640/-.



Learned counsel for the petitioner submits that from perusal of Annexure-3 and 4, it would appear that the Electric Supply Division served bills of three months to the petitioner and the bills show irregularity in consumption of electric energy. The petitioner requested the engineer to correct the bill, so that the petitioner may pay the arrears of rent but in stead of correcting the bills, the informant lodged false case, making allegation of theft of energy of Rs. 640/-.

Learned counsel for the South Bihar Power Distribution Company Limited submits that only theft of Rs. 640/- is alleged to have been committed by the petitioner.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that the petitioner annexed the bills showing irregular meter reading about consumption of electric energy prior to institution of the case, the petitioner above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged 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 C.J.M., Sheikhpura, in connection with Sheikhpura P.S. Case No.283/2017, G.R. No.1009 of 2017, subject to conditions as



laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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