

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31356 of 2018

Arising Out of PS.Case No. -108 Year- 2018 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Madhu Kishore Sharma S/o Late Triloki Thakur, R/o Mohalla- Kaghri,
P.S.- Bihar, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chairman South Bihar Power Distribution Company Ltd. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 16-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bihar P.S.Case No.108 of 2018 , registered for offences punishable under Section 135 of the Electricity Act, 2003..

Allegation against the petitioner is there was dues of Rs.1,37,411 against him and the electric was cut but he was using the same by '*tokka*'.

Submission of the learned counsel for the petitioner is that the mater is in the name of his father and instead of that he has been made accused int his case.

Heard learned A.P.P. and the learned counsel for the South Bihar Power Distribution Company Ltd. The learned counsel for



the S.B.P.D.C.L. could not satisfy as to whether the meter is in the name of the petitioner or not..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda at Bihar Sharif in connection with Bihar P.S.Cas no.108 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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