

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49398 of 2017

Arising Out of PS.Case No. -114 Year- 2017 Thana -ARA MUFFSIL District- BHOJPUR

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Md. Faruk Hussain Son of Late Abdul Hussain Resident of Village Narhi,
P.S. Chandi, District Bhojpur.

.... Petitioner.

Versus

1. The State of Bihar.
2. Assistant Electric Engineer Raghwendar Pratap Singh S/o Upendra
Kumar Singh Prabdiwani Bhawan Khemni Chak, Patna - 800027, Mob No.
7763814265.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Ram Lallan Singh
For the State : Mr. Sri Gauri Shankar Mishra, APP
For the BSEB : Mr. Kumar Priya Ranjan with Mr. Niraj Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7 25-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Ara Muffasil P.S. Case
No. 114 of 2017 instituted for the offence under Section-135 of the
Electricity Act.

It is alleged in the written report that this petitioner being
Field Supervisor of Bharti Airtel Company was committing electricity
theft through Toka on account of which, Electricity Department
suffered loss of an amount of 3,84,474/-.

From the written report itself, it appears that this petitioner was
the employee of the aforesaid Bharti Airtel Company and he was
consuming electricity by using Toka.

Counsel for the petitioner has submitted that one of the co-
accused Harendra Rai has been granted anticipatory bail by a



coordinate bench of this court vide order dated 17-11-2017 passed in Cr. Misc. No. 48790 of 2017.

In the aforesaid order, the court has observed that Harendra Rai is the land owner which has been given on lease to the company (owner of the land). This petitioner is employee of the company as appears from the written report itself.

Therefore, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail stands rejected.

The petitioner is directed to surrender in the court below and seek regular bail which will be considered and disposed of on its own merit in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

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