

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24187 of 2018

Arising Out of PS.Case No. -280 Year- 2017 Thana -KONCH District- GAYA

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1. Anil Kumar, S/o Late Ram Kripal Singh,
2. Surendra Sharma S/o Late Raghuvir Singh,
3. Surendra Sharma @ Surendra Singh S/o Late Kishori Sharma,
4. Shiv Kumar Singh @ Shiv Kumar Sharma, S/o Surit Singh, All are R/o
Vill.- Bhikhanpur, P.O.- Godia, P.S.- Konch, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar Through The Chairman of South Bihar Power
Distribution Company Ltd., Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Vinay Kirti Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-05-2018 Heard the parties.

The petitioners are apprehending their arrest in connection
with Konch P.S.Case no.280 of 2017 registered for offences
punishable under Section 135 of the Electricity Act.

Allegation against the petitioner nos.1 & 2 is of committing
electricity theft of Rs.9,175/-, against petitioner no.3 is of theft of
Rs.6,250/- and against petitioner no.4 is of committing theft of
Rs.2,15,206/-.

Submission of the learned counsel for the petitioner is that
at that time there was no transformer and as such bill illegally be
created by the S.B.P.D.C.L.

Heard learned A.P.P. and the learned counsel for the



S.B.P.D.C.L.

Having heard both sides and in view of the facts and circumstances, so far petitioner nos. 1 to 3 (Anil Kumar, Surendra Sharma and Surendra Sharma @ Surendra Singh), after some argument learned counsel or the petitioners has submitted that petitioners are ready to deposit amount, which will be subject to result of the case. In such view of the matter, if the petitioners deposit the amount within six weeks from the date of receipt of the order by a bank draft payable in favour of S.B.P.D.C.L., they shall 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 Special Judge, Electricity, Magadh Area Gaya in connection with Konch P.S.Case No.280 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal

So far petitioner no.4 (Shiv Kuamr Singh @ Shiv Kumar Sharma) is concerned, he will deposit 50 % of the amount within a period of six weeks from the receipt of the order and on that he will be released on provisional bail for a period of two months and he will deposit rest of the amount also within further period of 03 months, otherwise his bail bond shall be cancelled.



With the aforesaid direction, this application is disposed of.

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(Vinod Kumar Sinha, J)

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