

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52939 of 2018

Arising Out of PS.Case No. -112 Year- 2018 Thana -KONCH District- GAYA

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Naresh Yadav, Son of Sheetal Yadav, Resident of Village- Parsama, Police Station- Konch, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The South Bihar Power Distribution Company Ltd. through its Managing Director, Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Section-135 of Indian Electricity Act.

The allegation against the petitioner is that during course of raid, the petitioner was found committing theft of electric power directly from L.T. line through Toka, which caused a loss of Rs. 223858/-

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. From perusal of the seizure list, it is evident that the petitioner has been made accused due to mistake of fact. It is further submitted that the petitioner is ready to deposit an amount of Rs. 60,000/- (sixty thousand) in the court below subject to final outcome of the case.



On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, if the petitioner surrenders and deposits the said amount of Rs. 60,000/- in the court below subject to final outcome of the case, within six weeks from the date of receipt of the order, he shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Electricity), Magadh Area, Gaya in connection with Konch P.S. Case No. 112 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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