

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23283 of 2018

Arising Out of PS.Case No. -28 Year- 2018 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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Vinay Kumar @ Vijay Kumar, Son of Late Ram Nandan Saw @ Late Ramanand Sah, Resident of at- Sohdi, P.O. & P.S.- Sohsarai, District- Nalanda, Town- Biharsharif (Bihar).

.... Petitioner

Versus

1. The State of Bihar Through Its Energy Secretary, Energy Department, Daroga Rai Path, Patna.
2. Managing Director, South Bihar Power Distribution Company Limited, Vidyut Bhawan, Patna.
3. Chief Engineer (Commercial), South Bihar Power Distribution Company Limited, Vidyut Bhawan, Patna.
4. Deputy General Manager cum Electrical Superintending Engineer, Electrical Supply Circle, Biharsharif, Nalanda.
5. Electrical Executive Engineer, Electrical Supply Division, Biharsharif, Nalanda.
6. Assistant Electrical Engineer (Revenue), Electrical Supply Sub-Division, Biharsharif, Nalanda.
7. Chief Engineer (STF), South Bihar Power Distribution Company Limited, Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Shyam Kishore Sinha, Advocate
For the Opposite Party/s : Mrs. Archana Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-04-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Sohsarai (Biharsharif) Nalanda P.S.Case No. 28 of 2018 registered for the offences punishable under Section 135 of Electricity Act, 2003.

Allegation against the petitioner is of committing theft of electric energy to the tune of Rs.7,35,897/-.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case. However, in course of



argument learned counsel for the petitioner submits that petitioner is ready to deposit the said amount if he is granted some reasonable period.

Heard learned counsel for the South Bihar Power (Holding) Company Ltd., who has no objection to the prayer made by learned counsel for the petitioner.

Having heard both sides and in view of submission, this application is disposed of with a direction to the petitioner to surrender before the court below within a period of one month along with a Bank Draft for Rs.1,35,897/- payable to the SBPDCL and in that event he will be released on provisional bail to the satisfaction of the court below for the period of six months and he will continue to deposit the rest of the amount in five equal instalments in first week of every months. It is made clear that on failure to deposit any instalment, his bail bond shall be cancelled and once the total amount is deposited, the court below will confirm his bail bond and the aforesaid payment will be subject to the result of the case.

(Vinod Kumar Sinha, J)

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