

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11879 of 2018

Arising Out of PS.Case No. -311 Year- 2017 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

=====

1. Chhotan Mahto, Son of Late Shanichar Mahto, Resident of Village-Tarapur, P.O.- Raitar, P.S. Giriyak, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. South Bihar Power Distribution Co. Ltd. Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in a case instituted
for the offences under Sections 135 of the Electricity Act.

A raid was conducted and it was found that consumer
no. 6G-0297 was found using electricity through hooking as
has been alleged that this consumer has not paid outstanding
dues of Rs. 1,98,337/- and on that account Electricity Board
has disconnected his connection and further on account of that
consumer has to pay fine of Rs.18,430/-

Learned counsel for the petitioner submits that consumer
no.6G-0297 is not his consumer but the consumer was



Mahadeo Mahto who has already died and he has never used this power for his own benefit and his successor will be liable to pay the same. Only maximum it can be said that he is liable to pay Rs.18,430/- which he is ready to deposit.

Petitioner is directed to deposit Rs. 18,430/-.

In the event of deposit of the aforesaid amount, in the event of arrest or surrender within four weeks from today, let petitioner, namely, Chhotan Mahto, 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 the Additional Chief Judicial Magistrate-I, Nalanda at Biharsharif in connection with Giriyak P.S. Case No.311 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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