

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2051 of 2018

Arising Out of PS.Case No. -407 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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Ravi Shekhar M/s C.S. Construction S/o Late Chandra Shekhar Prasad
Singh, R/o Mohalla- Gayatri Nagar, P.S.- Town, District- Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chairman, North Bihar Power Distribution Company Ltd.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Prasad Singh, Adv.
Mr. Ganesh Prasad Singh, Adv.

For the Opposite Party/s : Mr. Binod Kumar 3, APP

For the Opp. Party No.2 : Mr. Shrekant Sharan Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-03-2018 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks anticipatory bail in connection with
Saraiya (Jaitpur) PS case no. 407 of 2016 registered for the
offences punishable under Sections 135/137 of the Electricity Act.

The allegation is regarding the petitioner being the
proprietor of the construction company, which is engaged in
construction work of the building in question, and upon raid by the
electricity company in the said premises, the petitioner was found
to be availing electricity in an unauthorised manner illegally,
resulting in lodging of an FIR under Sections 135 and 137 of the
Electricity Act. Initially the loss sustained by the company was



assessed at Rs. 11,61,616.00 approximately, however, subsequently, the same appears to have been reduced to a sum of Rs. 8 lakhs approximately, upon objection being raised by the petitioner herein.

The learned counsel for the petitioner submits that though the petitioner is innocent and has been falsely implicated in the present case, however, he is ready to deposit a sum of Rs. 4 lakhs, i.e. 50% of Rs. 8 lakhs which is the amount of loss suffered by the Electricity company, within a period of five weeks from today for the purposes of grant of anticipatory bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the petitioner to deposit a sum of Rs. 4 lakhs within a period of five weeks from today before the Nazarat of the concerned court and thereafter surrender before the learned court below within the same time and show the receipt of deposit of the said amount, whereafter the petitioner above named shall be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, North Bihar Power Distribution Company Ltd. Muzaffarpur in connection with Saraiya (Jaitpur O.P.) PS case no. 407 of 2016, subject to the conditions laid down under Section 438(2) of Code



of Criminal Procedure.

In the meantime, it is directed that for a period of five weeks from, today, the petitioner shall not be arrested.

(Mohit Kumar Shah, J)

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