

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17977 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -MEHUS District- SEKHPURA

=====

Bachchu Mahto, S/o late Sitaram Mahto, R/o Village- Mafo (Oraiya), P.S.-
Mehus, District- Sheikhpur.

.... Petitioner/s

Versus

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

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Smt. Madhuri Lata, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-03-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Mehus P.S.**

Case No. 06 of 2018 instituted for the offence under Section 135
of the Indian Electricity Act.

It is alleged in the written report that a raid was
conducted in the flour mill of the petitioner by the informant and
during course of raid, the informant, found that petitioner was
using electricity by connecting *Toka*, on account of which, the
electricity department suffered loss of Rs.1,89,986/- .

Learned counsel for the petitioner has submitted that
petitioner is bona fide consumer of the South Bihar Power
Distribution Company Limited. He was given connection by the



Electricity department to run Motor of 5 HP and he is making payment of electricity bill regularly.

Learned counsel for the petitioner has pointed out Annexure-2 and 3 which shows that petitioner was given electricity connection to run Motor of 5 HP. It further appears from Annexure-3 that regular energy bill was paid by the petitioner. Xerox copy of Aadhar card has been enclosed by the petitioner as Annexure-4 from which it appears that date of birth of petitioner is 01.01.1938. As such he is aged about more than 85 years.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Mehus P.S. Case No. 06 of 2018**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **Sri Jigar Shah, learned Judicial Magistrate, 1st Class, Sheikhpura**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on



each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

U		T	
---	--	---	--

