

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71623 of 2018

Arising Out of PS. Case No.-978 Year-2017 Thana- FORBESGANJ District- Araria

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Lalita Devi, W/o Avadesh Kumar Deo @ Avdhesh Dev, R/o Battabari
Forbesganj, Mattihari, Ward No. 10, P.S. Forbesganj, Dist.- Araria.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner, North Bihar

Power Distribution Company Limited (hereinafter referred to as

‘the Company’) and learned APP for the State.

The petitioner is apprehending arrest in a case registered
for the offence punishable under Section 135 of the Electricity
Act of the Indian Penal Code.

The accusation is of unauthorized consumption of electric
energy causing loss to the tune of Rs.56,446/-.

It is submitted by learned counsel for the petitioner that the
electricity connection is in the name of the father-in-law of the
petitioner, namely, Deveshwar Lal. Subsequently, an application
was submitted on 22.05.2017 for providing a new connection in



the name of the husband of the petitioner for which meter charge to the tune of Rs.875/- was deposited, but the connection was not provided. Thereafter, the petitioner made a complaint before the Public Grievance Redressal Cell, Farbesganj, hence, the present case has been lodged as a retaliatory measure. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned counsel appearing on behalf of the Company that due to unauthorized consumption of electricity, the loss calculated to the tune of Rs.56,446/- has been caused to the Company.

Keeping in view the fact that this is not in dispute that the connection is in the name of Deveshwar Lal, the father-in-law of the petitioner and this fact has not been controverted by learned counsel for the 'Company', at earlier point of time, an application was made and the required meter charge has already been deposited for providing of a new connection in the name of the husband of the petitioner and the petitioner, being a lady having no criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria, in connection with Forbesganj P.S. Case No.978 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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