

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14722 of 2018

Arising Out of PS.Case No. -213 Year- 2017 Thana -KUDRA District- BHABHUA (KAIMUR)

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1. Ajay Kumar Chaubey S/o Sri Mani Chaubey, R/o village- Patakhwalia,
P.S.- Kudra, District- Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. South Bihar Power Distribution Company Ltd. through its Junior
Electrical Engineer, Electric Supply Division, Pusauli, Kudra, Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Singh, Adv.
For the Opposite Party/s : Mr. Sri Tapeswar Sharma, APP
For the SBPDCL : Mrs. Archana Sinha, Adv

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-04-2018 The petitioner is apprehending his arrest in connection
with Kudra P.S. Case No. 213 of 2017, registered for offences
punishable under Section 135 of the Electricity Act.

Allegation against the petitioner is of theft of electricity
causing revenue loss of Rs. 52,520 to the Govt. exchequer.

It has been submitted on behalf of the petitioner that
prosecution case is false and concocted and he is a poor person
and has falsely been implicate in this case. Moreover, after some
argument learned counsel for the petitioner has submitted that he
is ready to deposit the 50% of the alleged amount, which comes to
Rs. 26,260/-, if some reasonable time is allowed.

Heard learned A.P.P. also as well as learned counsel



appearing on behalf of South Bihar Power Distribution Co. Ltd.
(SBPDCL).

Having heard both sides, in view of the above submission of learned counsel for the petitioner, he is directed to surrender before the court below within a period of four weeks along with a demand draft of Rs. 16, 260/- drawn in favour of the SBPDCL and the court below after satisfying himself shall release the petitioner on provisional bail to his own satisfaction with condition that petitioner shall deposit the rest amount of Rs. 10,000/- within a period of two months, otherwise the provisional bail of the petitioner shall be cancelled and if the petitioner makes the complete payment of Rs. 26, 260/- within the aforesaid period, his bail bonds shall be confirmed.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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