

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48472 of 2018

Arising Out of PS.Case No. -62 Year- 2018 Thana -DALSINGHSARAI District- SAMASTIPUR

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1. Subhadra Devi @ Smt. Subhadra Devi W/o Late Suryeshwar Prasad Verma, R/o Vill.- Sardar Ganj Nawada, P.S.- Balsinghsarai, District-Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihar State Electricity Board, North Bihar, Power Distribution Company Ltd. Dalsingsarai, District- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s

(For electricity company) : Mr. Lokesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-08-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Dalsingsarai P.S.Case No. 62 of 2018, registered for offences punishable under Sections 135 of the Indian electricity Act.

As per F.I.R. allegation against the petitioner is of committed theft of electric energy, causing loss of Rs 51694/- to the Electric Department.

Submission of the learned counsel for the petitioner is that the petitioner is bonafide consumer of Electricity Department and used to pay the bill regularly and he has already filed a petition before Electricity Department to change the defective



meter but the meter was not changed. It is also submitted that still the petitioner is ready to abide all the directions and conditions imposed upon him and the petitioner has no criminal antecedent

Heard learned A.P.P. and learned counsel appearing on behalf of Bihar State Electricity Board, North Bihar Power Distribution Company Ltd, Dalsingsarai, District- Samastipur oppose the prayer for bail on the ground that the petitioner was using the electric energy by manipulating the meter, causing loss to the Electric Department.

Having heard both sides and in view of the facts and circumstances discussed above, let the petitioner, above named, surrender before the court below within a period of eight weeks from today and on surrender alongwith bank draft of Rs. 51694/- amount payable in the name of Opposite Party No. 2 and if such amount will be deposited in favour of Opposite Party No. 2 within six weeks from the date of receipt of the order and he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Samastipur in connection with Dalsingsarai P.S.Case No. 62 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr. P. C.



It is also made clear that above payment shall be subject to the result of the case.

With the aforesaid, this application is accordingly disposed of and for the period of eight weeks, no coercive steps be taken against the petitioner.

(Vinod Kumar Sinha, J)

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