

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27394 of 2018

Arising Out of PS.Case No. -749 Year- 2017 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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Roushan Aryan, S/o Mohan Sharma @ Madan Sharma, R/o Village-
Akbarpur, P.S.- Hilsa, District- Nalanda

.... Petitioner/s

Versus

The South Bihar Power Distribution Company Ltd. Near Income Tax
Golambar, Bailey Road, P.S.- Kotwali, Patna, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Shankar Choudhary, Advocate

For the Opposite Party/s : Ms. Renu Jha, Advocate

Mr. Prakash Jha, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-05-2018 Learned counsel for the petitioner submits that the

date of arrest has been wrongly stated as 24.11.2017 instead of

01.04.2018. Permission is thus granted to correct the same.

Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the South Bihar Power

Distribution Company Ltd. (hereinafter referred to as 'the

Power Company').

The petitioner is in custody since 01.04.2018 in

connection with Hilsa P.S. Case No.749 of 2017 registered for

the offence under Sections 420 and 409 of the Indian Penal

Code.

Learned counsel for the petitioner submits that



only because certain receipts were missing and the same could not be accounted for by the petitioner, who is an Agent for collecting the energy dues appointed by the Power Company, the petitioner has been taken into custody on suspicion that he has embezzled the same.

Learned counsel for the Opposite Party-Power Company has submitted that the petitioner has misappropriated the amounts so collected from the consumers and, therefore, he has been taken into custody for the said charge.

Having heard learned counsel for the petitioner and the learned counsel appearing for the Power Company, this Court directs that the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Hilsa P.S. Case No.749 of 2017.

It is made clear that if the petitioner does not co-operate with the Power Company and does not approach the Power Company within a period of six weeks from the date of his release from custody and does not deposit a reasonable amount as fixed by the Power Company to demonstrate his *bona fides*, the Power Company shall be at liberty to approach



this Court for cancellation of his bail after giving the petitioner
six months’ time from the date he so released.

(Anjana Mishra, J)

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