

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54905 of 2018

Arising Out of PS. Case No.-240 Year-2017 Thana- BIBHUTIPUR District- Samastipur

Vikash Kumar @ Viku Singh S/o Sri Nanki Singh @ Uday Narayan , R/o
Vill.- Bharpura, P.S.- Vibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar Through North Bihar Power Distribution Company Ltd.
Having Office At Vidhut Bhawan, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Vinay Kirti Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State as well as North Bihar Power
Distribution Company Ltd.

The petitioner is apprehending arrest in connection
with Vibhutipur P.S. Case No. 240 of 2017 for the offence under
Sections 379 of the Indian Penal Code.

Mr. Abhay Shankar Singh, learned counsel for the
petitioner has drawn attention of this Court to complaint made
by the Junior Engineer to the SHO, Vibhutipur to contend that
no case of electricity theft has been made out against the
petitioner. The allegation of replacing electric instrument and
shifting the transformer and poles near his poultry, does not
constitute offence of theft of electric.



Considering the aforesaid, let the petitioner above named, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial, Magistrate, 4th Rosera, in connection with Vibhutipur P.S. Case No. 240 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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