

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3131 of 2019

Arising Out of PS. Case No.-1267 Year-2018 Thana- SAHARSA District- Saharsa

Manish Jha @ Sonu @ Manish Kumar, son of Mahendra Jha, resident of Vill-
Murli Basantpur, ward no.13, P.S-Bangaon, Distt.-Saharsa.

... .. Petitioner/s

Versus

1. The North Bihar Power Distribution Company Ltd. Through Its Junior Engineer, Electric Supply Cell, (West), Saharsa
2. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, APP

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with Saharsa Sadar P.S. Case No. 1267 of 2018 registered for the offences punishable under Sections 341, 323, 353 and 504 of the Indian Penal Code and Section 135 of the Indian Electricity Act, 2003.

Learned counsel for the petitioner submits that so far as this petitioner is concerned, he happens to be a tenant in the premises in question. Learned counsel points out from the money receipts placed with Annexure-2 to the present application showing that it was the house owner Sri Ashutosh Kumar Jha who was depositing the electricity bills of the



premises in question. It is submitted that the house owner Sri Ashutosh Kumar Jha had given a written report to the Assistant Electrical Engineer, Electricity Supply Division, Saharsa as back as on 30.07.2016 stating that the meter was defective and is required to be changed. Learned counsel submits that without prejudice to his case the petitioner would be ready to deposit 50% of a sum of Rs.56,276/- which is said to be the revenue loss.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances of the case, considering that the petitioner is a tenant and is ready to deposit 50% of the claimed amount towards revenue loss, this Court would direct that in case of arrest or surrender of the petitioner within a period of six weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 1267 of 2018, subject to the condition that while submitting the bail bond he would also submit receipt showing deposit of 50% of the aforesaid amount with the Electricity



Supply Circle, West Saharsa (Urban). This will be in addition to
condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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