

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2105 of 2019

Arising Out of PS. Case No.-192 Year-2018 Thana- AKBARPUR District- Nawada

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Bishun Chouhan, Son of Late Hari Chouhan, Resident of Vill-Dariyapur, P.S-
Akbarpur, Dist.-Nawada

... .. Petitioner/s

Versus

1. State of Bihar and Anr Bihar
2. Ambuj Kumar Himanshu, Son of Dev Narayan Thakur, Resident of Vill-Shermari, P.S-Pirtauli, Dist.-Bhagalpur, at present posted as Assistant Electric Engineer, Electric Supply, Division, Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Tribhuwan Narayan
For the Opposite Party/s :	Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 135 of the Electricity Act, 2003.

The prosecution case is to the effect that the petitioner consumed electricity energy unauthorisedly. The total loss has been calculated to the tune of Rs. 2,31,471/-.

It is submitted by learned counsel for the petitioner that the loss has been calculated arbitrarily. The petitioner was running flour mill on generator.

Learned counsel for the South Bihar Power Distribution



Company Limited submits that the petitioner was running the flour mill without any electric connection and was consuming electricity energy unauthorizedly, hence loss has been calculated accordingly.

Considering the nature of accusation, on deposit of 40% of the total calculated loss before the authority concerned, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Electricity, Magadh Area, Gaya in connection with Akbarpur P.S. Case No. 192 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

The above deposit of money will be subject to the result of any order being passed in assessment proceeding or compounding proceeding.

(Dinesh Kumar Singh, J)

Amrendra/-

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