

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34415 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- DHANSOI District- Buxar

MAHENDRA MISHRA Son of Kedar Nath Mishra Resident of Village-
Raghunathpur, P.S.- Dhansoi, District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Surendra Kr. Singh
For the Opposite Party/s	:	Mr.Pancha Nand Pandit
For Informant	:	Mr. Ajay Kumar Gautam

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Dhansoi P.S. Case No. 08 of 2019 registered for the offence punishable under Section 135 of Electricity Act.

Allegation against the petitioner is of committing theft of electric energy and causing loss to the tune of Rs.4,95,234/-and it further appears that anticipatory bail application of the petitioner was disposed of by learned Additional Sessions Judge-VI, Buxar with direction to the petitioner to deposit half of the amount, i.e., Rs.2,47,617/- in two equal instalments within a period of two months but in stead of that petitioner has come before this Court for grant of anticipatory bail.

Submission of learned counsel for the petitioner is that the allegation is false and concocted and furthermore it is difficult for the petitioner to deposit the aforesaid amount within the specified period



of two months.

Heard learned APP and learned counsel for SBPDCL.

In view of above facts and circumstances, this application is disposed of with direction to the petitioner to surrender by 11.9.2019 along with a Bank Draft of Rs.47,617/- and on condition that he will deposit rest of the amount dues and once the same is deposited he shall be released on provisional bail for a period of four months by the court below and during that period petitioner has to deposit rest of the amount as directed by learned Additional Sessions Judge in four equal instalments and once the total amount is deposited the bail bonds of the petitioner shall be confirmed. It is made clear that on failure to deposit any of the instalments the court below is at liberty to cancel bail bonds of the petitioner. It is further made clear that on an application filed by SBPDCL with an undertaking that it will abide by the final outcome of the case, the amount shall be released in its favour. Needless to say that this order shall not prejudice the case of the petitioner.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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