

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29649 of 2019

Arising Out of PS. Case No.-512 Year-2018 Thana- BHAGWAN BAZAR District- Saran

Mahadeo Kumar @ Mahadev Kumar, aged about 33 years (Male), Son of Late Prahlad Prasad, Resident of Mohallah-Katara Raza Ki Gali, P.S.- Bhagwan Bazar, District- Saran

... .. Petitioner

Versus

1. The State of Bihar
2. The North Bihar Power Distribution Co. Ltd. Chhapra at Saran, Bihar Bihar

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Md. Anis Akhtar, Advocate
For the State	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 31-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 379 of the Indian Penal Code and Section 135 of the Electricity Act, 2003 registered in connection with Bhagwan Bazar P.S. Case No. 512 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation of theft of electricity merely because he happens to be a relative of son-in-law of the owner of the subject premises. In any event the petitioner expresses his readiness to deposit the entire amount of loss allegedly caused to the North Bihar Power Distribution Company in appropriate installments. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 512 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions –

(i) That the petitioner shall deposit the entire amount of Rs. 75,220/- before the learned court below in three equated monthly installments, the first of which should be deposited on or before 31.08.2019.

(ii) That one of the bailors shall be a close relative of the petitioner.

(iii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(v) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

5. The provisional bail granted to the petitioner shall be confirmed upon verification about deposit of the entire amount of loss caused to North Bihar Power Distribution Company within a period of four weeks after furnishing bail bonds, failing which his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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