

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4427 of 2019

Arising Out of PS. Case No.-540 Year-2018 Thana- SHEKHPURA District- Sheikhpura

Manish Kumar, s/o Anil Singh, Resident of Village- Jaymangla, Police Station- Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The South Bihar Power Holding Company, Vidyut Bhawan, Bailey Road, Patna, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

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

The petitioner is apprehending his arrest in connection with Sheikhpura (Sirari O.P.) Police Station Case No.540 of 2018 registered for the offences punishable under Sections 135 and 138 of the Bihar Electricity Act, 2003.

The allegation is of commission of damage to the electricity company by unauthorized use of electricity.

Submission is that the petitioner is ready to pay loss amount of Rs.3, 70, 291/- (Rupees Three Lacs Seventy Thousand and Two Hundred and Ninety One), as alleged in the F.I.R. under protest.

Learned counsel for the opposite party No.2 opposed the prayer for anticipatory bail.



Let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, subject to condition that *the amount shall be paid in four monthly installments. The first installment shall be paid before filing of the bail bond and thereafter, the remaining installments shall be paid in three consecutive months, failing which the learned court below would be at liberty to cancel the bail bond of the petitioner.*

The deposit of the amount by the petitioner shall be subject to the result of the calculation on the representation of the petitioner and if, excess amount would be found to be paid by the petitioner, the same shall be adjusted by opposite party No.2, *the South Bihar Power Holding Company* against future bill.

The petitioner shall file representation before the Authorities, which must be disposed of within three months.

(Birendra Kumar, J)

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