

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50552 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- BAUSI District- Araria

FOKAN YADAV @ NAKULDEV YADAV Son of Late Budhu Yadav
Resident of Village- Lakuma, Police Station- Bounsi, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jr. Electric Engineer, Electric Supply Branch, Raniganj, through North Bihar Power Distribution Company Ltd., Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anamul Haque, Adv.
For the Opposite Party/s	:	Mr. Anita Kumari Singh, APP
For O.P. No. 2	:	Mr. Ratan Prasad, Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-08-2019 This application, for grant of anticipatory bail, arises out of Bounsi P.S. Case No. 22 of 2019, disclosing offences under Section 135 of Bihar Electricity Act, 2003.

Allegation against the petitioner is of commission of theft of energy causing loss of Rs. 83, 432/- to the Government Exchequer.

Submission of learned counsel for the petitioner is that he is a poor shop keeper and has falsely been implicated in this case. However, after some argument, learned counsel for the petitioner agreed that the petitioner would deposit the amount, if some time is allowed to him

Heard learned A.P.P. as well as learned counsel



appearing on behalf of North Bihar Power Distribution Company Limited, they have submitted that the petitioner in his shop was using deep refrigerator, computer and other articles. However, learned counsel for the North Bihar Power Distribution Company Limited has no objection if the petitioner deposit the amount in installments.

Having heard both sides, in view of the above facts, let petitioner surrender in the court below on 30.08.2019 along with a bank draft of Rs. 23,432/- payable in the name of North Bihar Power Distribution Company Limited, on which, the court below shall release him on provisional bail for a period of five months on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) with two sureties of the like amount each his own satisfaction with condition that petitioner will deposit the remaining amount of Rs. Sixty Thousand in four equal installments of Rs. Fifteen Thousand by a bank draft in the name of North Bihar Power Distribution Company Limited in the first week of each month and once the total amount is deposited, the court below shall confirm the provisional bail of the petitioner.

It is made clear that if the petitioner fails to deposit any of the installments, provisional bail granted to him shall



stand cancelled.

Further, after payment of entire amount, the petitioner
will be at liberty to move for compounding of the case.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

