

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50844 of 2019

Arising Out of PS. Case No.-150 Year-2019 Thana- KUDRA District- Kaimur (Bhabua)

Ashok Kumar Singh Son of Gupteshwar Singh Resident of Village - Sakari,
P.S.- Kudra, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. M.D. of South Bihar Power Distribution Corporation, Bihar at Patna. Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Pandey
For the O.P. No. 2	:	Mr. Ajay Kumar Gautam

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 19-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Kudra P.S. Case No. 150 of 2019 registered for the offence
punishable under Sections 135 of Bihar Power Electricity Act.

Petitioner is said to have committed theft of
electricity by bypassing his electric meter and thereby causing
damage to the tune of Rs. 3,54,962/- to the electricity
department.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He is a *bona*
fide consumer of the electricity department. He has not



committed any theft. He has been falsely implicated in this case due to not coughing up of illegal demand made by the persons of electricity department. However, petitioner is ready to deposit 50% of the aforesaid amount in installments, hence, he may be enlarged on bail.

On the other hand, learned counsel for the O.P. No. 2 opposed the bail prayer.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Kaimur at Bhabua in connection with Kudra P.S. Case No. 150 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C with further condition that petitioner shall deposit 1/4th of the loss amount within one month from the date of this order and rest 1/4th in two equal installments of one month each, failing which learned court below shall be at liberty to cancel his bail bond.

(Prakash Chandra Jaiswal, J)

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