

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56003 of 2019

Arising Out of PS. Case No.-186 Year-2017 Thana- BRAHMPUR District- Buxar

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DEV KUMAR SAH Son of Late Kamla Sah Resident of Village - Thana
Road, Brahmpur, P.S.- Brahmpur, Dist.- Buxar.

... .. Petitioner/s

Versus

1. South Bihar Power Distribution Company Limited, Vidhut Bhavan, Baily Road, Patna through it's Chairman Vidhut Bhawan, Baily Road, Patna.
2. Sandeep Kumar Gupta, Assistant Engineer, Electricity Supply, Sub-Division Dumraw under South Bihar Power Distribution Company Limited Vidhut Bhavan Baily Road, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tilak Sao, Adv
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-09-2019

Heard learned counsel for the parties.

2. Allegation in the FIR is of commission of electric theft causing loss to the Power Distribution Company to the tune of Rs.1,81,621/-.

3. The quashment of the FIR has been sought for on the ground that calculation of loss is exorbitant and without disclosing the method of calculation. A criminal proceeding is not a proceeding for recovery of money. Moreover, the said issue is subject matter of investigation also regarding manner and methodology of calculation of loss. Hence, the FIR cannot be quashed on that ground.

4. Accordingly, this application is dismissed.



5. However, the petitioner would be at liberty to file representation before the authority on the correctness of calculation of loss amount and the authority shall pass necessary order according to law.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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