

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75398 of 2019

Arising Out of PS. Case No.-124 Year-2016 Thana- GOVINDPUR District- Nawada

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JABAHAR LAL @ JABAHAR SAW Son of Late Parmeshwar @
Parmeshwar Sao Resident of Village- Sikariya, P.S.- Govindpur, District-
Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Assistant Electric Engineer S/O- Guru Prasad Assistant
Electric Engineer, Electric Supply Awar Pramandal, Rajauli

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar
For the Opposite Party/s : Dr. Anand Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-12-2019 Heard learned counsel for the petitioner as well as

learned Addl. Public Prosecutor for the State.

Petitioner is apprehending his arrest in Govindpur P.S.

Case no. 124/2016 registered under section 135 of the

Electricity Act.

It is submitted by counsel for the petitioner that the
petitioner is a *bonafide* consumer. In support of his submission,
he relies upon receipts, copies of which have been enclosed and
submits that he has already taken three phase connection and
has made requisite deposit. Petitioner's counsel submits that he
has falsely been implicated in this case alleging theft of
electricity to the tune of about Rs 2,54,000/-.



Considering the aforesaid fact and without prejudice to the right of respondent-company to proceed in accordance with law for recovery. Prayer for anticipatory bail is allowed.

In the event of arrest/ surrender within four weeks from the date of receipt of a copy of the order in the court below, petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of I/C Special Judge (Electric), Nawada in Govindpur P.S. Case no. 124/2016 subject to the condition under section 438(2) Cr.P.C and other conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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