

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76618 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- GHOGHARDIHA District- Madhubani

SRI ALI HASSAN @ MD. ALI HASSAN @ MD. ALI HUSSAIN Son of
Md. Anul Haque Resident of Village - Shankar Pur, P.S.- Madhepur, Distt.-
Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Wasim Raza S/o Md.Abbas (Assistant Electric Engineer Project) Vidyut
Aputi Pramandal Jhanjharpur. Permanent Address Resident of Village-
Deuriya, P.S- Lauriya, District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit, Advocate
For the Opposite Party/s : Mr.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-11-2019 Heard counsel for the petitioner and counsel appearing
on behalf of the State as well as Mr. Anand Kumar Ojha, learned
counsel appearing on behalf of the North Bihar Power Distribution
Company Limited (NBPDC).

The petitioner is apprehending arrest in connection
with Ghoghardiha P. S. Case No. 30 of 2019 corresponding to G.R.
No. 479 of 2019 for offences under Sections 406/420 of the Indian
Penal Code.

The allegation against this petitioner is that he has
unauthorizedly realized electricity charges from BPL people who are
exempted from any kind of electricity charges.

Learned counsel appearing on behalf of the
petitioner would submit that there is absolutely no complaint of any



consumer that this petitioner has illegally realized electricity charges.

Mr. Anand Kumar Ojha, learned counsel appearing for NBPDCCL would submit that the petitioner has unauthorizedly and illegally realized electricity charges from exempted consumers. He refers to the written complaint lodged by the Assistant Electrical Engineer, Project, Electric Supply Division, Jhanjharpur co contend that the petitioner was indulged in such activities involving unauthorized collection of Rs. 82,600/-.

Considering the facts that the petitioner has no criminal antecedent and that the complaint lodged does not refer to the complain of any BPL consumer about the realization of the electricity charges, the court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the SDJM, Jhanjharpur, District-Madhubani in connection with Ghoghardiha P. S. Case No. 30 of 2019 corresponding to G.R. No. 479 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Anil Kumar Upadhyay, J)

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