

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17111 of 2020

Arising Out of PS. Case No.-384 Year-2019 Thana- DIGHA District- Patna

SONU SINGH @ PRIYA RANJAN Son of Binod Singh Resident of Mohalla
- Ramjee Chak, Bataganj, P.S.- Digha, Distt – Patna. Petitioner/s
Versus

1. THE STATE OF BIHAR
2. Anurag Singh, Junior Electricity Engineer Digha, Patna
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-09-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Satya Nand Shukla, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Digha PS case no. 384 of 2019 registered for the offences punishable under Section 135 of the Electricity Act.

The allegation is regarding commission of theft of electricity by the petitioner herein, which was detected when the raid was conducted by the officials of the Electricity Company in the premises of Madhur Milan Marriage Hall of the petitioner herein.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that at best, the petitioner can be said to be the occupant of the said marriage hall for a period of few months which is apparent from the agreement in question.

This Court had enquired from the learned counsel for the petitioner as to whether the petitioner is willing to pay 50% of the amount of loss caused to the Electricity Company or atleast a sum of Rs. 2,50,000/- in order to show his bonafide but the learned counsel for the petitioner submits that he has got no instruction in this regard.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the fact that theft of electricity is not only a menace which the society suffers at great cost to itself and to the State but also a serious offence which effects the financial and economic well-being of the State, any leniency being shown to the culprits would be misplaced sympathy, inasmuch the same leads to over-burdening the honest electricity consumers, thus I do find that the present case is a fit case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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