IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22654 of 2020

Arising Out of PS. Case No.-538 Year-2019 Thana- PAROO District- Muzaffarpur

==

RAHUL RAJ S/o Akhilesh Kumar Singh Resident of Village- Mohjamma, P.S.- Paroo, Distt- Muzaffarpur, Bihar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==

Appearance :

For the Petitioner/s	:	Mr.Nirbhay Prashant, Adv.
For the NBPDC	:	Mr. Vinay Kirti Singh, Sr. Adv.
		Mr. Vijay Kumar Verma, Adv.
For the State	:	Mr. Umeshanand Pandit, APP

==

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

5 21-12-2020 The learned counsel for the parties were heard at length on 18.12.2020 and today, the present case has been listed for orders.

This is an application for grant of anticipatory bail in connection with Paroo P.S. Case No. 538 of 2019 registered for the offence punishable under Sections 406, 420, 467, 468 and 471 of the Indian Penal Code.

The case of the prosecution in brief, according to the informant, who is the Assistant Electrical Engineer, Electric Supply Sub-Division Saraiya of the North Bihar Power Distribution Company Ltd. is that upon inquiry and investigation, it has been found that the work of revenue collection and spot billing is being carried by Mega Calibre Enterprises Pvt. Ltd. for the Electric Supply Division, Deoria and it has employed the petitioner as a meter reader and a bill collector. It is also alleged that the petitioner was engaging in collecting money illegally from the consumers by issuing fake receipt by getting fake money receipt printed in the name of North Bihar Power Distribution Company Ltd. and in the process, it has been found that the petitioner had issued 15 fake receipts, details whereof has also been given in the FIR.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the allegation levelled by the informant is baseless and the petitioner has got no complicity in the matter. The learned counsel for the petitioner, by referring to the supplementary affidavit filed in the present case, has submitted that most of the amount mentioned in the FIR has been deposited by the consumers, as would be apparent from the bill receipts annexed to the said supplementary affidavit.

Per contra, Sri Vinay Kirti Singh, the learned Senior Counsel for the Respondent- Power Distribution Company, duly assisted by Sri Vijay Kumar Verma, Advocate, has referred to the counter affidavit filed in the present case and has submitted that the petitioner has collected a sum of Rs. 9,020/- from different consumers, however, he did not deposit the same with the Respondent-Power Distribution Company. It is also stated that upon instruction from the informant, it has transpired that against the total sum of Rs. 9,020/-, as mentioned in the FIR, about a sum of Rs. 7,300/- has been deposited by another person in different consumer accounts, however, the full amount is yet to be deposited.

Having considered the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case dairy, the complicity of the petitioner in the alleged occurrence cannot be ruled out since there are ample materials available on record to suggest his complicity in the alleged occurrence, hence, I do not find the present case to be a fit case for grant of anticipatory bail at least, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

Ajay/-

U		T	