

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80258 of 2019**

Arising Out of PS. Case No.-493 Year-2013 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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SUSHIL RAI @ SUSHIL KUMAR RAI Son of late Ram Chandra Rai
Resident of Village - Mohanpur, P.S.- Muffasil, Distt - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suraj Narain Yadav

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 18-01-2020 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No. 493 of 2013 for the offence
punishable under Section 135 of Electricity Act.

The allegation is regarding the officials of the
Electricity Company and the police force having raided the
premises of the petitioner, whereupon it was found that the
petitioner was using electricity in an unauthorized manner by
hooking directly in L.T. main line. The loss which has taken
place on account of unauthorized use of electricity has been
computed by the officials of the company and the same totals up
to a sum of Rs. 77237/-.



The learned counsel for the petitioner has submitted that the petitioner was having authorized connection at the time of alleged raid by the Electricity Company/ officials, hence, he has been falsely implicated in the present case. It is further submitted that the petitioner is having a clean antecedent. Nonetheless, the learned counsel for the petitioner submits that in order to secure the privilege of anticipatory bail, the petitioner is ready and willing to deposit 50% of the loss amount with the Nazarat of the learned Civil Court at Samastipur, however, it is submitted that the same be made subject to the final outcome of the case.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, I deem it fit and proper to direct that the petitioner shall be admitted to the privilege of anticipatory bail, subject to deposit of a sum of Rs. 38,000/- (Rs. Thirty eight thousand) before the Nazarat of the learned civil court at Samastipur.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties



of the like amount each to the satisfaction of learned Chief
Judicial Magistrate, Samastipur in connection with Muffasil P.S.
Case No. 493 of 2013, subject to deposit of a sum of Rs.
38,000/- before the Nazarat of the learned Civil Court,
Samastipur as also subject to the conditions laid down under
Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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