

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30161 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- HALSI District- Lakhisarai

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1. HARE RAM SINGH Son of Ramashray Singh Resident of Village-Mahsoni, Manpur Badhaur, P.S.-Halsi, Distt.-Lakhisarai.
 2. Ramanuj Singh S/o Bindeshwarai Singh Resident of Village-Mahsoni, Manpur Badhaur, P.S.-Halsi, Distt.-Lakhisarai.

... .. Petitioners

Versus

1. THE STATE OF BIHAR
2. Saurabh Kumar S/O Sri Ranjit Singh Assistant Electrical Engineer (Electricity Supply Sub Division) Lakhisarai, Permanent Address - Suman Lok Barmasia Football Ground, P.S. - Dhanshar, Distt. - Dhanbad (Jharkhand).

... .. Opposite Partys

Appearance :

For the Petitioner/s	:	Mr. Prabhat Ranjan Singh, advocate
For SBPDCL	:	Mr. A.K. Ojha, Advocate
	:	Mr. A. K. Karna, Advocate
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 08-02-2021 Heard learned counsel for the petitioners, Mr. Anand Kumar Ojha, learned counsel for the South Bihar Power Distribution Company Limited (SBPDCL) assisted by Mr. A. K. Karna, learned advocate and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Halsi P.S. Case No. 37 of 2020 registered for the offences punishable under Sections 409, 420/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that as per



the written report submitted by one Saurav Kumar, Assistant Electrical Engineer, Electrical Sub Division, Lakhisarai, one company namely Mega Caliber Enterprises, a Kolkata based company was allotted work of spot billing and revenue collection in rural areas of SBPDCL. The said company was appointing its supervisor and meter reader for execution of the work. It is alleged that on 26.02.2020 the Superintending Engineer, Munger conducted an inspection in village Gidhdha East in presence of these petitioners. Besides him the Executive Engineer, Assistant Electrical Engineer and Junior Engineer were also present. In course of inspection premises of nine customers were inspected and it was found that out of nine, seven customers were provided bills showing their meters defective. It is submitted that in this way the petitioners were indulged in causing unlawful loss to the SBPDCL and unlawful gain to themselves. They were not making bills for the total consumption in month and in this way huge monetary loss as well as loss of reputation was caused to the SBPDCL.

Learned counsel submits that petitioners have falsely been implicated in this case. It is however admitted that petitioner no. 1 is the Supervisor and petitioner no. 2 is the reader. Learned counsel submits that even if the allegations are taken to be true for argument sake, there is no revenue loss to the power company.



Having regard to the facts and circumstances of the case, the seriousness of allegations as the petitioners being in position of a trustee for the purpose of meter reading and supervising have allegedly indulged in duping the power company, this Court is not inclined to grant privilege of anticipatory bail to the petitioners. Their prayer for anticipatory bail is thus refused.

In case, the petitioners surrender and pray for regular bail in the learned court below within a period of four weeks from today, their prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

The observation with regard to surrender in the court below within a period of four weeks from today shall not be construed as granting any interim protection to the petitioner for the aforesaid period.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

