

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4576 of 2021

Arising Out of PS. Case No.-90 Year-2019 Thana- KALYANPUR District- Samastipur

ANAND MOHAN Son of Late Dineshwar Prasad Resident of Village-
Lakshrampur, P.S.-Kalyanpur, District-Samastipur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. North Bihar Power Distribution Company Ltd., Through Suresh Paswan
Kaniy, Vidyut Abhiyanta Vidyut Aapurti Prashakha, P.S.-Kalyanpur,
District-Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sujit Kumar Singh
For the NBPDC	:	Mr. Vinay Kirti Singh, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-02-2021 Heard learned Counsel for the petitioner and learned

Senior Counsel for the North Bihar Power Distribution

Company Limited (in short, 'NBPDC').

The petitioner apprehends his arrest in connection
with Kalyanpur Police Station Case No. 90 of 2019, registered
for the offences punishable under Section 135 of the Electricity
Act, 2003.

This is the second attempt on behalf of the petitioner
for grant of anticipatory bail. Earlier, the prayer for anticipatory
bail of the petitioner was allowed, vide order, dated 20.08.2019,
passed in Criminal Misc. No. 51348 of 2019, subject to the
condition that the petitioner shall pay the assessed amount of



Rs. 5,29,302/- to the NBPDCCL in instalments, and Rs. 1,32,500/- shall be paid by the petitioner immediately and rest amount of Rs. 3,96,982/- shall be paid in six equal monthly instalments, positively.

Learned Counsel for the petitioner submits that the petitioner is not the owner of the premises in question and one Shashi Ranjan is the owner of the said premises and he has deposited a sum of Rs. 1,32,500/- (Annexure-3). He next submits that apart from the above, a sum of Rs. 18,687/- was also deposited in the account of the NBPDCCL by said Shashi Ranjan. He further submits that he is not having any liability to pay any outstanding to the NBPDCCL.

On the other hand, learned Senior Counsel for the NBPDCCL submits that the present second anticipatory bail application is not bonafide and from perusal of the F.I.R., it would be evident that the petitioner was found using the electricity unauthorizedly by hooking the wire from the pole and the assessment of loss of electricity was rightly done by the Inspecting Team.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner is trying to raise fresh issue by way of filing this second anticipatory bail



application and is also trying to re-argue the matter, which is not permissible, I am not inclined to entertain this second anticipatory bail application.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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