

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10207 of 2021

Arising Out of PS. Case No.-67 Year-2020 Thana- BELAGANJ District- Gaya

ANJAN PASWAN Son of Indradeo Paswan Resident of Village-Bhindaspur,
Tola-Sundarpur, P.S.-Belaganj, District-Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The South Bihar Power Distribution Company Ltd. through its Managing Director, Bihar, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Abhay Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-11-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Belaganj P.S. Case No. 67 of 2020 registered for the offence punishable under Section 135 of the Indian Electricity Act.

The allegation is regarding theft of electricity



by the petitioner for the purposes of running his flour mill.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. At the outset, the learned counsel for the petitioner has submitted that the petitioner is ready to deposit a sum of Rs. 1,50,000/- for the purposes of grant of anticipatory bail inasmuch as the total loss amount is a sum of Rs. 3,22,041/-.

Per contra, the learned APP for the State, Sri Abhay Kumar No. 1, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is ready to deposit approximately 50% of the loss amount i.e. a sum of Rs. 1,50,000/-, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.



Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the Ld. court below within a period of four weeks from today, subject to production of proof of deposit of a sum of Rs. 1,50,000/- with the Assistant Electrical Engineer, Electric Supply Sub-Division, Gaya (Rural) & further upon furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Electricity), Magadh Area, Gaya in connection with Belagnj P.S.Case No. 67 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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