

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 553 OF 2021

Rehan Rauf Majid

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Sachin Punde i/b. Mr. Milind S. Sawant, Advocate for the Applicant.

Mr. A. R. Kapadnis, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 3rd MARCH, 2021.

PC :

. This is an application for anticipatory bail in connection with C.R.No.II-28/2021 registered with Mahatma Phule Police Station, Kalyan, for the offences under Section 135 of the Electricity Act, 2003.

2. The case of the complainant, is that, on 7th January 2021, the complainant who is employed with Maharashtra State Electricity Distribution Company had visited the subject premises, after learning that the theft of electricity is being conducted. They visited Majid Manzil, first floor, Old Machhi Bazar, Kalyan. The electricity meter in the name of A. G. Majid bearing meter No.020020117932 was

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verified. It was being used by Rehan Rauf Majid (applicant) and although the electricity meter was installed in the said premises, electricity was consumed unauthorizedly. The tampering was shown to the applicant. Although the electricity bill stands in the name of A. G. Majid and the bills are issued in his name, the applicant is occupying the said premises and utilizing the electricity. Photographs were clicked and the wire utilized for committing theft of electricity was recovered. Panchnama in that regard was executed. The value of electricity was around Rs.7,38,090/-.

3. Learned Counsel for the applicant submitted that the applicant has been falsely implicated in this case. There is discrepancy in the address mentioned on the address where the electricity meter was installed. The raid was conducted at Majid Manzil, first floor, Old Machhi Bazar, Kalyan. However, the applicant is occupying and utilizing electricity meter situated at Akbar Manzil, Fish Market, Kalyan. It is further submitted that another case was registered against the applicant for theft of electricity and applicant was willing to compound the said offence. However, the company is not co-operating and false F.I.R. has been registered against the applicant.

4. Learned APP submitted that the prosecution case is that although the electricity meter was in the name of another person the

applicant was occupying the same and utilizing and committing theft of electricity.

5. On perusal of F.I.R., it is apparent that the case of the prosecution is that the applicant was present at the place of incident. He is occupying the premises. The photographs were clicked and tampering was pointed out to him. Another case of theft was registered with him for theft of electricity. In this circumstances, no case for grant of anticipatory bail was made out.

6. Application is rejected and disposed of.

7. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)