

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 308 OF 2021

Zakirullah Khan Shafiullah Khan

..vs..

State of Maharashtra, thr. P.S.O.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Anzar Baig Mirza, Advocate for Applicant.
Shri H.D. Dubey, A.P.P. for Non-applicant/State.

CORAM : VINAY JOSHI, J.
DATED : 03/08/2021

Heard.

2. In anticipation of arrest in Crime No.305 of 2019 registered with Akot File Police Station, District Akola for the offence punishable under Section 135 of the Electricity Act, 2003, the applicant is prayed for pre-arrest bail.

3. The non-applicant/State resisted bail by contending that one co-accused is still absconding.

4. Perusal of First Information Report shows that the applicant has allegedly tampered with electric meter and thus, committed theft of electric energy of 6089 units worth Rs.81,944/-. Interim protection was granted by this Court vide its order dated 24.06.2021.

5. In pursuance of direction of this Court,

applicant has deposited 50% amount of theft of electricity. Already, Panchanama regarding tampering with electric meter has been carried out at the time of raid.

6. Having regard to the nature of accusation, pre-arrest protection can be granted to the applicant by directing the applicant to join the course of investigation. In view of the above, following order is passed :

(a) Ad-interim order dated 24.06.2021 passed by this Court, is hereby made absolute with further direction to the applicant to attend the concerned Police Station, as and when required.

(b) An amount of Rs.41,000/- deposited by the applicant in this Court be transferred to the account of the concerned Trial Court.

JUDGE

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