

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3922 of 2022

Arising Out of PS. Case No.-232 Year-2021 Thana- DURGAWATI District- Kaimur (Bhabua)

Chandrawati Devi, Wife Of Kamleshwar Pandey Resident Of Village And
Post Office - Kalyanpur, Police Station - Durgawati, District - Kaimur
(Bhabhua).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in anticipation of her arrest in a
case registered for the offences punishable under Sections 135 of the
Indian Electricity Act, 2003.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a woman, who is
about 74 years of age and the informant alleges that on 22.10.2021, a
raid was conducted regarding electricity theft and from the industrial
campus of the petitioner, it would find that the electricity was being
used directly by passing the meter on account of which, S.B.P.D.C.L.
faced a loss of Rs.1,96,662/-. It is next alleged that further
investigation, it would find that son of the petitioner also had an
outstanding electricity bill of Rs.1,10,768/- due to which, his



electricity connection was previously disconnected. Hence, the petitioner altogether owed Rs.3,07,430/- to the company. It is next alleged that the meter and the three phase service wire was seized from the campus of the petitioner, but the same was snatched by the husband and the son of the petitioner.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that petitioner had taken the connection in the Year 2019 and she had been regularly paying the bill in support whereof, the petitioner relies on Annexure-2 to the anticipatory bail application. It is further submitted that it absolutely does not stand to reason that in order to falsely implicate the petitioner, the informant has tried to make out a case that meter was removed along with the wires which was seized, but the same was snatched by the husband of the petitioner and her son.

It is further submitted that the dispute arose as the informant was alleging that the son has dues, but when documents were asked for that and on what basis, it is being alleged that the son of the petitioner has dues the informant was not able to show any documents. The learned counsel asserts and submits that the allegation as alleged in the F.I.R. with regard to the dues of electricity bill of the son of the petitioner is concerned, the same is false and fabricated as the son never had any electricity connection at the address on which the bill was raised. It is next submitted that the son



of the petitioner has already deposited the arrears with respect to the electricity dues, which was in his name as would be evident from Annexure-3 series to the anticipatory bail application.

Learned A.P.P. opposes the bail application.

Be that as it may, considering the fact that the petitioner is a person with clean antecedent and is a woman and is aged about 74 years, the petitioner, above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on her furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Durgawati P. S. Case No.232 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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