

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24219 of 2021**

Arising Out of PS. Case No.-223 Year-2020 Thana- IMAMGANJ District- Gaya

Shambhu Prasad S/o Gaya Prasad Resident of Village- Karchoi (Near Devi Sthan), P.S.- Imamganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Assistant Electric Engineer, Electric Supply Division, Imamganj, District- Gaya. Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Shrikant Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 09-03-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 135 of the Electricity Act.

The allegation against the petitioner is of unauthorized consumption of electric energy and thereby causing loss of Rs. 3,35,486/- to the South Bihar Power Distribution Company Limited.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case as the petitioner has no concern with the alleged



premises or seized article. However, the petitioner is ready to deposit a reasonable amount to the South Bihar Power Distribution Company Limited.

The petitioner, in the alternative is ready to pay 50 percent of the total loss (Rs. 3,35,486/-) incurred to the electricity department. The petitioner shall show a receipt of deposit of 25 percent of the total loss incurred to the South Bihar Power Distribution Company Limited. The petitioner undertakes to deposit the rest 25 percent within a period of three months from today.

Considering the fact that petitioner is ready to pay 50 percent of the loss incurred to the Electricity Company, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, Electricity, Magadh Division, Gaya in connection with Imamganj P.S. Case No. 223 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



The bail bonds of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of 25 percent of the total loss (Rs. 3,35,486/-) incurred to the South Bihar Power Distribution Company Limited.

The aforesaid payment will be subject to the final outcome of the case.

(Sunil Kumar Panwar, J)

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