

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20256 of 2022**

Arising Out of PS. Case No.-9 Year-2021 Thana- SHANKARPUR District- Madhepura

BAIJNATH DAS Son of Parmeshwari Das Resident of Village - Maura  
Kabiyahi, Police Station - shankarpur, District - Madhepura.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. North Bihar Power Distribution Co. Ltd. through Junior Electrical Engineer,  
Electricity Supply Section, Shankarpur, District - Madhepura.

... .. Opposite Party/s

**Appearance :**

|                    |   |                                     |
|--------------------|---|-------------------------------------|
| For the Petitioner | : | Mr.Uday Chand Prasad, Advocate      |
| For the State      | : | Mr.Vinod Shanker Modi, APP          |
| For NBPDCCL        | : | Mr. Vinay Kirti Singh, Sr. Advocate |
|                    |   | Mr. Vijay Kr. Verma, Advocate       |
|                    |   | Mr. Akhileshwar Singh, Advocate     |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      16-05-2022                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the NBPDCCL.

Learned Counsel for the petitioner is directed to  
remove the defect(s), as pointed out by the office, within a  
period of four weeks.

The petitioner is apprehending his arrest in a case  
registered under Sections 353, 333, 341, 323, 379, 504, 506 of  
the Indian Penal Code and Section 135 of the Electricity Act.

Prosecution case, in short, is that on 19.01.2021 when  
the authorities of Electricity Department raided the premises of  
the petitioner, it was found Toga connected with L.T. line



illegally which caused loss to the Electricity Department to the tune of about Rs.10,639/-.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. The petitioner undertakes to deposit the demand, which has been raised by the Electricity Department. From perusal of the record, it appears that the demand made by the opposite party No.2 is for an amount of Rs.10,639/-.

Counsel appearing on behalf of the opposite party No.2 has no objection to it.

On behalf of the State and learned counsel for the NBPDCCL, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances, the **petitioner, above named, is directed to deposit the amount in question i.e. Rs.10,639/- within a period of six weeks and at the time of surrender before the court below he shall produce the receipt issued by the authorities concerned.** On doing so, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on



furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Madhepura in connection with Shankarpur P.S. case No.09 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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