

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22307 of 2022

Arising Out of PS. Case No.-102 Year-2020 Thana- CHAKAND District- Gaya

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RAMESH YADAV Son of Late Sukar Yadav Resident of Village - Gangapur,
P.s.- Chakand, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The South Bihar Power Distribution Company Ltd. through its Managing Director, Vidyut Bhawan, Baily Road, Patna, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Tej Narayan Singh, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP
For the S.B.P.D.C.L.	:	Mr. Aanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioner and learned

APP for the State and learned counsel 'Dr. Aanand Kumar' on

behalf of the South Bihar Power Distribution Company Limited.

The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 135 of the

Indian Penal Code.

Learned counsel for the petitioner submits that the

petitioner is a person with clean antecedent and the informant

alleges that on 29.06.2020 a raiding team was constituted based

on secret information and when he treats the business premises

of petitioner, the raiding team found that there was theft of

electricity, it is next alleged that the company has suffered a



revenue loss of Rs. 3,20,742/-, on account of theft of electricity committed by the petitioner, further all the PVC wires of the three phases and starters were also seized.

Learned counsel for the petitioner has been falsely implicated in the present case, it is next submitted that petitioner about three months back had taken the electricity connection as such it cannot, by any stretch of imagination, be alleged that within three months the theft was of Rs. 3,20,742/-.

At this stage, the learned counsel for the petitioner submits that he has instruction to make submission that he is willing to deposit an amount of Rs. 1 lakh with the South Bihar Power Distribution Company Limited and thereafter will contest the case.

Learned counsel appearing for the company does not dispute the submission made by the learned counsel for the petitioner, though submits that at least the petitioner should have been directed to deposit at least 50 per cent of the amount as alleged.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six 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 the learned trial court where the case is pending/successor court in connection with Chakand P.S. Case No. 102 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the petitioner will file an application before the learned trial court bringing to its notice that an amount of Rs. 1 lakh has been paid to the company and, in the event, if such application is not filed then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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