

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28539 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

AJAY KUMAR SON OF RADHEY SHYAM PRASAD R/O VILLAGE-
DARWA, P.S.- MOHINIYA, DISTRICT- KAIMUR (BHABHUA)

... .. Petitioner/s

Versus

1. The State of Bihar
2. NAVIN KUMAR, ASSISTANT ELECTRIC ENGINEER, ELECTRIC
SUPPLY SUB-DIVISION, MOHINIYA, KAIMUR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Digamber Kr. Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 135 of Bihar Electricity Act.

The informant alleges that petitioner committed theft of electricity causing loss of Rs. 5,83,464/- to the company.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that from perusal of the FIR, it would manifest that the same records the meter number and the said meter is in name of his uncle



Sudarshan Prasad, it is next submitted that petitioner along with his father are living separately and the petitioner also has an electricity connection in his name having Consumer No. 22520006439. Learned counsel further submits that petitioner is son of Radheshyam Shah who is own brother of Sudarshan, it is next submitted that petitioner also has an electricity connection having Consumer No. 22520006439, it is next submitted that even petitioner is staying separately from his uncle Sudarshan Prasad, it is further submitted that when the FIR itself records that the premises of Sudarshan was raided then how come the petitioner has been made an accused when he was not even present at the place of occurrence, it is also submitted that Sudarshan Prasad is not an accused in the FIR which further creates doubt with regard to the veracity of the allegations as alleged in the FIR.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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. 25,000/-



(Rupees Twenty Five 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 Mohaniya P.S. Case No. 32 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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