

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59719 of 2021

Arising Out of PS. Case No.-43 Year-2021 Thana- AMNAUR District- Saran

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VIVEK KUMAR RAI S/o JUNARBI RAI @ JUNARVI LAL RAI R/o VIL-
LAGE-GYASPUR, P.S-AMNAUR, DISTRICT-SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-04-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 353, 427, 504, 506/34 of the Indian Penal Code and Section 135 of the Indian Electricity Act, 2003.

The accusation is of consumption of unauthorized electricity, as a result of which, a loss of Rs. 4,52,985/- was caused to the Electricity Department. The petitioner is also alleged to have assaulted the raiding team.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. It is further submitted that nine days prior to the occurrence, the meter reading was noted and bill was generated. Moreover, it is alleged in the F.I.R. that petitioner had unauthorized used the electricity through P.R.C. connector but no such connector has been seized nor any seizure list was prepared. It is further submitted that since the petitioner did not fulfill the illegal gratification of the electricity department officials, hence, this false case has been registered against the petitioner.

In the facts and circumstances of the case, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned Special Judge (Electricity), Muzaffarpur in connection with Amnaur P.S. Case No. 43/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Ranjeet/-

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