

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62196 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- TEKARI District- Gaya

RAVINDRA YADAV Son of Mangal Yadav @ Mangar Yadav Resident of
village - Kamalpur, P.S.- Tekari (Mau O.P.), District - Gaya.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-04-2022 The instant case has been taken up for
consideration through the mode of Video
conferencing in view of the prevailing situation on
account of COVID 19 Pandemic, requiring social
distancing.

Heard the learned counsel for the petitioner
and the learned counsel for the Electricity
Company, Sri Shrekant Sharan Singh.

The petitioner seeks regular bail in
connection with Tekari (Mau O.P.) P.S. Case No.
84/2020, registered for the offence punishable
under Section 135 of the Indian Electricity Act,



2003.

The allegation is regarding the petitioner having committed theft of electricity. It is alleged that the petitioner was running a flour mill by illegally hooking electricity wire with the main LT line. The South Bihar Power Distribution Company Ltd. has assessed the loss caused to it to be a sum of Rs. 3,14,724/-.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 12.8.2021. The learned counsel for the petitioner while assailing the impugned order dated 18.8.2021 passed by the Special Court (Electricity) Magadh Area, Gaya, has submitted that though the petitioner had undertaken to pay the entire loss amount in installments, however, he could not arrange for the same, thus, he has approached this Court for a sympathetic consideration, as far as the quantum of loss is concerned. Upon a query



made by this Court as to whether the petitioner is ready to pay a sum of Rs. 1,00, 000/-, out of the total loss amount for the purposes of grant of bail, subject to the final outcome of the case, the learned counsel for the petitioner has agreed to the same.

Per contra, the learned counsel for the Electricity Company, Sri Shrekant Sharan Singh, has though vehemently opposed the prayer for bail but has not opposed the proposal of the petitioner regarding deposit of at least a sum of Rs. 1,00,000/- at this stage, subject to the final outcome of the case.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, I deem it fit and proper to direct for release of the petitioner on bail, subject to deposit of a sum of Rs. 1,00,000/- with the Respondent-Company and producing proof thereof before the learned court of Special Judge



(Electricity), Magadh Area, Gaya in connection with Tekari (Mau O.P.) P.S.Case No. 84 of 2020. The learned court below shall be at liberty to impose such further conditions, upon the petitioner, as may be deemed fit and proper, for the purposes of grant of bail.

The present petition stands disposed of with the aforesaid modification in the impugned order dated 18.8.2021 passed by the Special Judge (Electricity), Magadh Area, Gaya.

(Mohit Kumar Shah, J)

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