

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63383 of 2021**

Arising Out of PS. Case No.-123 Year-2021 Thana- WAJIRGANJ District- Gaya

=====

Ramsharan Prasad Yadav @ Ramsharan Prasad @ Ramsharan Yadav Son of  
Sri Janki Yadav Resident of Village - Geraiya, P.S.- Wazirganj, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Nishant Sagar Son of Sri Shambhu Sharan Prasad Resident of Village -  
Kandopur, P.S.- Giriyak, District - Nalanda presently posted as Junior  
Electrical Engineer, Electric Supply Division, Wazirganj, Gaya

... .. Opposite Party/s

=====

**Appearance :**

|                            |                       |
|----------------------------|-----------------------|
| For the Petitioner/s :     | Mr. Shailesh Kumar    |
| For the Opposite Party/s : | Mr. Ashok Kumar Singh |

=====

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

2      14-06-2022                      Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner seeks anticipatory bail in connection with Wazirganj P.S. Case No. 123 of 2021, registered for the offence under Section 135 of the Bihar Electricity Act.

The main submissions advanced by learned counsel for the petitioner are that as per the prosecution's allegation the petitioner was found using electricity in illegal manner for his Aata Chaki machine and a loss of Rs. 1,20,977/- is stated to the revenue loss of the Electricity Department but in fact the



said allegation is completely false which clearly appears from the list of the seized articles annexure-2 and only a pvc wire and a motor starter are alleged to have been recovered from the place of occurrence and moreover petitioner surrendered his electric connection in the year 2017 by submitting his application with a request to disconnect his electric connection and the same was disconnected by removing his meter on 15.11.2017. Further submission is that despite of sufficient materials being against the prosecution allegation, petitioner is ready to deposit 50% amount of the total alleged loss of government in three installments in the Court below and rest amount will be subject of the trial.

Learned APP for the Electricity Department has opposed the prayer of bail and submitted that petitioner should be directed to deposit the entire revenue loss of electricity department in the Court below in installments.

Having considered the above submissions and petitioner's defence as well as his willingness to deposit the 50% of the total revenue loss in three installments, let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with



two sureties of the like amount each to the satisfaction of concerned court in connection with Wazirganj P.S. Case No. 123 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Further the petitioner shall deposit 25% of the total revenue loss of electric department as mentioned in the FIR at the time of submitting bail bond and rest 25% will be deposited by him in two installments after the gap of one month and totaling in two months and the rest 50 % amount will be subject of the out come of the trial.

**(Shailendra Singh, J)**

siddharthkr/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

