

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58351 of 2022**

Arising Out of PS. Case No.-359 Year-2020 Thana- GAYA MUFASIL District- Gaya

Rameshwar Saw Son of Ganauri Saw Resident of Village- Kharhari, P.S.-  
Mufassil, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar through the Chairman South Bihar Power Distribution  
Company Ltd. Bihar, Patna Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate  
For S.B.P.D.Co.Ltd. : Mr. Dr. Anand Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      28-11-2022                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the Electricity Department.

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

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

As per prosecution case, petitioner is alleged to have  
committed theft of electricity which caused a loss of  
Rs.3,23,422/- (three lakhs twenty three thousand four hundred  
twenty two only) of the government revenue.

It is submitted that there is a remedy available with



regard to the Settlement Committee and he may be allowed to appear before the Settlement Committee.

Counsel appearing for the Electricity Department does not object and submits that the Settlement Committee shall decide the matter.

Considering the facts aforesaid and taking into consideration the provisions of the Settlement Committee which provide depositing of 25% of the claimed amount as a priority before the Settlement Committee. If the petitioner deposits the said amount, he may approach before the Settlement Committee. In view of the aforesaid facts and circumstance, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Electricity, Magadh Area, Gaya in connection with Muffasil P.S. Case No. 359 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

1. Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

vanisha/-

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

