

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66444 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- ALIPUR District- Gaya

SANTOSH KUMAR S/O OM PRAKASH YADAV R/o village- Thanapur,
P.S.- Alipur, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Assistant Electric Engineer, Electric Supply Division, Tekari, District-
Gaya Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ravindra Kumar Sinha
For the Opposite Party/s :	Mr.Shailendra Kumar Singh
	Mr. Ajay Kumar Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-11-2022 Heard learned counsel for the parties.

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. 5,74,901/- (five lakhs seventy four thousand nine hundred one 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 six 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 Division, Gaya in connection with Alipur P.S. Case No. 28 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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