

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67232 of 2021

Arising Out of PS. Case No.-175 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

MANOJ SINGH S/o Not Known R/ village- Dhobhari, P.S.- Chainpur,
District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of committing theft of electricity and accordingly it is alleged that an amount of Rs. 1,06,242/- is the estimated loss of the company.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, the alleged theft of electricity does not pertain to city rather it is with respect to a village which is part of rural area, it is next



submitted that from perusal of the FIR at page '15' it would manifest that only four meter white colour PVC wire was seized. Learned counsel further submits that it absolutely does not stand to reason that how only four meter white colour PVC wire was being used for committing theft of electricity, it is next submitted that the petitioner has already got an electricity connection in his newly constructed house. It is further submitted that if what has been alleged by the informant is true then how come the electricity connection was given even without making any efforts for realising the loss, the fact that the electricity connection has been granted to the petitioner is clearly pleaded at paragraph '11' of the anticipatory bail application. Learned counsel next submits that the seizure does not inspire confidence. It is next submitted that in the event, if the petitioner is finally convicted in the trial, he will serve the sentence and in the event, if the petitioner is acquitted in the trial and present anticipatory bail is denied then how his period of incarceration would be compensated.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chainpur P.S. Case No. 175 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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