

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69124 of 2021

Arising Out of PS. Case No.-122 Year-2013 Thana- ASHOK PAPER MILL District-
Darbhanga

=====

AMLESH THAKUR Son of Late Ramsudist Thakur Resident of Village -
Sibesinghpur, P.S.- Ashok Paper Mill, District - Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-07-2022 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 senior citizen aged about 65 years with clean
antecedent and allegation is of theft of electricity.

Learned counsel for the petitioner submits that from
perusal of the allegation as alleged in the FIR it would manifest
that initially loss was estimated to the tune of Rs. 4,13,924/- but
after assessment, the final bill that was issued to the petitioner
was of Rs. 2,11,136/-.



Learned counsel for the petitioner submits that for nearly nine years the Electricity Board had been sitting idle, it is further submitted that even police also chose not to arrest the petitioner in the nature of allegation, it is thus submitted by the learned counsel for the petitioner, based on instruction, that the petitioner is willing to pay the amount as raised in the final bill provided he is given sometime.

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 **provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Ashok Paper Mill P.S. Case No. 122 of 2013 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

If the petitioner, as agreed, is not able to pay the final bill amount of Rs. 2,11,136/- within a period of three months from the date of receipt/production of a copy of order in the



learned court below, the learned court below shall forthwith
cancel provisional bail bonds of the petitioner and in the event,
if the petitioner pays the amount within the period aforesaid
then the provisional bail bonds of the petitioner shall stand
confirmed.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

