

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4313 of 2023

Arising Out of PS. Case No.-430 Year-2021 Thana- JAKKANPUR District- Patna

BRAJESH KUMAR Son of Late Krit Narayan Prasad Residence of Mohalla- Krit Narayan Bhawan, Road No. 5, Sanjay Nager, P.s- Jakkanpur, Dist- Patna, at present living at Mohalla- Etwarpur, P.S- Parsa Bazar, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. South Bihar Power Distribution company Ltd. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr.Sunil Kumar Pandey
Mr. Ajay Kumar Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-06-2023 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 379 and some other ancillary Sections of the Indian Penal Code.

It is a case of theft of electricity. It is alleged that on account of dues of Rs. 21,939/- electric connection of the petitioner was disconnected but he was using the electricity by connecting through L. T. line and thereby caused loss of 67,820/- to the Electricity department.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that petitioner has already deposited



Rs. 21,939/- before the electricity department and he is ready to deposit the alleged amount of Rs. 67,820/- in equal installments, which may be subject to final outcome of the case. Petitioner has got clean antecedent.

Learned counsel appearing for the Electricity department submits that if the petitioner deposits Rs. 25% of the alleged amount, that is, Rs. 67, 820/- at the time of furnishing bail bond and undertakes to deposit the rest amount in ten equal installments he has got no objection if the petitioner is allowed privilege of pre arrest bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Special Judge, PESU Area, Patna in connection with Jakkanpur PS case No. 430/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C. with further condition that petitioner shall furnish receipt showing deposit Rs. 16,955/- in favour of South Bihar Power Distribution Company Ltd. at the time of furnishing bail bond and remaining amount of Rs. 50, 865/- shall be deposited in ten



equal installments within one year failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

The amount so deposited by the petitioner shall be subject to final outcome of the case.

(Prabhat Kumar Singh, J)

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