

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15097 of 2023

Arising Out of PS. Case No.-334 Year-2022 Thana- RAJPUR District- Buxar

GANESH PANDEY S/O Late Lal Jee Pandey R/O Village- Bhaluha, P.S-
Rajpur, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Executive Engineer, South Bihar Power Distribution Co. Ltd.
(S.B.P.D.C.L), Electricity Supply Sub-division, Itrahi, District- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-05-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Rajpur P.S. Case No. 334 of 2022, registered for the offence punishable under Section 135 of the Electricity Act.

The allegation is regarding a raid having been conducted by the Assistant Electricity Engineer, Electric Supply Sub-Division, Itrahi along with other electricity department personnel, on the alleged date and time of occurrence in the premises of Shivam Hospital, belonging to the petitioner, whereupon it was found that the petitioner was engaging in



theft of electricity by illegally consuming electricity by tapping the wire coming from the pole by by-passing the meter.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is ready and willing to deposit a sum of Rs. 55,000/- i.e. approximately 50% of the assessed loss amount of Rs. 1,13,883/-, in order to avail the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the fact that the petitioner is ready and willing to deposit a sum of Rs. 55,000/-, I deem it fit and proper to direct the learned Court of SDJM, Buxar, in connection with Rajpur P.S.Case No. 334 of 2022, to admit the petitioner to the privilege of anticipatory bail, subject to him producing proof of deposit of a sum of Rs. 55,000/- with the Assistant Electricity Engineer, Electric Supply Sub-Division, Itrahi, within a period of eight weeks from today and further subject to such other



conditions as may be deemed fit and proper to be imposed by the learned Trial Court upon the petitioner, for the purposes of grant of anticipatory bail.

Accordingly, the present petition stands disposed off.

(Mohit Kumar Shah, J)

Ajay/-

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

