

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.391 of 2022

Arising Out of PS. Case No.-83 Year-2021 Thana- GAUTAMBUDHNAGAR District- Siwan

PANCHALAL PRASAD @ PANCHALAL SINGH SON OF LATE
RAMDHYAN PRASAD R/O VILLAGE- HARIHARPUR LALGARH, P.S.-
G.B.NAGAR, DISTRICT- SIWAN ... Petitioner

Versus

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL SECRETARY,
ENERGY DEPTT., GOVT. OF BIHAR, PATNA
2. THE CHAIRMAN, BIHAR STATE ELECTRICITY BOARD, BIHAR,
PATNA
3. THE CHIEF ENGINEER, SUPPLY AND MAINTENANCE DEPTT.,
NORTH BIHAR POWER DISTRIBUTION CO. LTD., VIDYUT
BHAWAN, BAILEY ROAD, PATNA
4. THE MANAGING DIRECTOR, NORTH BIHAR POWER
DISTRIBUTION COMPANY LTD., BIHAR, PATNA
5. THE EXECUTIVE ENGINEER, ELECTRICITY SUPPLY DIVISION
MAHARAJGANJ, DISTRICT- SIWAN
6. THE JUNIOR ELECTRICITY ENGINEER, ELECTRICITY SUPPLY
SUB-DIVISION BARHARIA, DISTRICT- SIWAN
7. THE SUPERINTENDENT OF POLICE, SIWAN
8. THE OFFICER INCHARGE, G.B.NAGAR POLICE STATION,
DISTRICT- SIWAN
9. THE INVESTIGATION OFFICER, G.B.NAGAR POLICE STATION,
DISTRICT- SIWAN ... Respondents

Appearance :

For the Petitioner	:	Mr.Naresh Prasad, Adv.
For the State	:	Mr.Rajeev Kumar Sinha, AC to AAG VII\
For the NBPDC	:	Mr. Vinay Kirit Singh, Sr. Adv., with M/s Vijay Kumar Verma & Akhileshwar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-04-2023 Heard counsel for the petitioner, the State and the
North Bihar Power Distribution Company Limited.

The petitioner seeks for quashing of the first
information report bearing G.B. Nagar P.S. Case No. 83 of
2021, dated 06.04.2021, registered under Section 135 of the



Bihar State Electricity Act, 2003, in which loss of amount of Rs.3,03,918/- has been made.

Counsel for the petitioner submits that the a false first information report has been lodged against the petitioner. He submits that the said raid was not made in his premises.

Counsel for the State submits that the counter affidavit has been filed in this case and upon investigation, this case has been found true against the present petitioner.

The counsel for the North Bihar Power Distribution Company Limited is also present.

Upon going through the contents of the first information report, it transpires that it is not one person rather team of three persons have made raid in the premises and upon calculation of the electricity amount the inspection seizure list was prepared, which was by petitioner not accepted and it was refused, which transpires from the said inspection note/seizure report.

From the counter affidavit it transpires that the case is true, therefore, this Court is not inclined to interfere in this matter.

With the aforesaid directions, this writ petition is disposed off.



It is well aware in law that Section 135 of the Bihar State Electricity Act, 2003, is a compoundable offence, liberty is hereby granted to the petitioner that if he wants to do so or if he has any objection on the amount he may represent before the authorities of the Electricity Board and do the needful so that this criminal case may be closed against him.

(Dr. Anshuman, J)

Shamshad/-

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