

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22395 of 2023

Arising Out of PS. Case No.-156 Year-2022 Thana- PRATAPGANJ District- Supaul

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1. Nitish Banebar @ Nitish Kumar Son Of Late Mahendra Banebar R/O Village- Kauakhani, Ward No.1, Govindpur, P.S.- Pratapganj, District- Supaul
 2. Ratan Banebar @ Ratnesh Banebar @ Ratnesh Kumar Son Of Late Mahendra Banebar R/O Village- Kauakhani, Ward No.1, Govindpur, P.S.- Pratapganj, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amrit Abhijat
For the Opposite Party/s :	Mr. Jai Narain Thakur
	Mr. Anand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 29-08-2023 Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel for North Bihar Power Distribution Company Limited.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 353, 307, 504, 506, 34 of the Indian Penal Code and Section 135 of the Indian Electricity Act, 2003.

3. As per the prosecution case, the petitioner is said to have committed theft of electricity causing loss of Rs. 1,58,085 to the Electricity Department.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners have already deposited Rs. 85,350/- to the Electricity Department. He further submits that the petitioners are ready to deposit the rest amount i.e. 61,735/- in the Electricity Department. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the North Bihar Power Distribution Company Limited opposed prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on **provisional bail**, in the event of their arrest or surrender before the learned Court below within a period of eight weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Pratapganj P.S. Case No.156 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below shall confirm the



provisional bail of the petitioners after satisfying himself that the petitioners have deposited Rs. 61,735/- in the Electricity Department.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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