

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23732 of 2017**

Arising Out of PS. Case No.-159 Year-2015 Thana- RAJAON District- Banka

Niranjan Mandal

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr. Vijay Anand- Advocate           |
| For the State        | : | Mr. Anand Kishore Choudhary- A.P.P. |
| For the S.B.P.D.C.L. | : | Mr. Vinay Kirti Singh- Sr. Advocate |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      03-10-2023                      1. Heard learned counsel for the petitioner, learned senior counsel for the South Bihar Power Distribution Company (hereinafter referred to as the Board) Limited and learned APP for the State.
2. The learned senior counsel for the Board submits that a counter-affidavit has been filed and the counter-affidavit clearly records that the petitioner was indulging in theft of electricity by bypassing the meter. It is further submitted that the petitioner has not deposited the amount, nor any application has been filed for compounding the offence.
3. The learned counsel for the petitioner also does not dispute the said submission of the learned senior counsel for the Board but submits that some amount has been deposited by the petitioner. It is next submitted that no doubt, the entire amount



has not been deposited, but some amount has been deposited with the opposite party no.2, but then, the said amount has not been adjusted, on which the learned counsel for the Board submits that the submission of the learned counsel for the petitioner is misconceived for the reason that if what he submits is correct then in that event, the proper forum is not before this Court in its inherent jurisdiction under Section 482 of the Cr.P.C., rather should approach the authorities.

4. Considering the submission made by the learned counsel for the Board, the Court is not inclined to entertain the quashing application.

5. The quashing application is rejected accordingly.

**(Satyavrat Verma, J)**

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

