

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23380 of 2022

Arising Out of PS. Case No.-234 Year-2021 Thana- PIRPAINTI District- Bhagalpur

SANJIV KUMAR Son of Sri Ramdev Mandal Resident of village - Tarwa,
P.S. - Pirpanti, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navjot Yesu, Advocate
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 11-01-2023 Heard learned counsel for the petitioner and the

State.

The petitioner is apprehending arrest in connection
with Pirpanti P.S. Case No. 234 of 2021 under section 135 of
the Electricity Act, 2003.

As per the prosecution story, the allegation is that the
Junior Engineer along with employees of the Electricity
Department inspected the premises of the petitioner and it was
found that earlier due to non-payment, the electricity with
regard to his commercial use of flour mill was disconnected still
he was using the same and accordingly, it was alleged that total
revenue loss to the theft of electricity is to the tune of Rs.
2,29,430/-.

Learned counsel for the petitioner submits that the



premises/flour mill as also the meter does not belong to him and as such he is not liable to pay the aforesaid amount nor there has been any electricity theft on his part.

Learned counsel appearing on behalf opposite party no.2 on the other hand submits that precisely that is the case of State that despite electricity being disconnected, he was running his flour mill causing revenue loss to the tune of Rs. 2,29,430/-.

Be that as it may, the fact remains that there is an FIR in which allegation has been levelled against the petitioner that he was illegally running the flour mill without having any electricity connection and that way in the FIR, assessed has been Rs. 2,29,430/-.

In the aforesaid background, this Court is not inclined to grant him relief and the petition as such stands rejected.

(Rajiv Roy, J)

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