

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11266 of 2021

Arising Out of PS. Case No.-20 Year-2020 Thana- RAJPUR District- Buxar

MAYANK KUMAR RAI Son of Ravindra Nath Rai Resident of Village - Chhitan Dihra, P.O. - Rasen, P.S.- Rajpur, District - Buxar, (as stated in the FIR, R/O Village - Sugahar Dera, P.O.- Rasen, P.S.- Rajpur, District - Buxar.)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. South Bihar Power Distribution Company Limited through Arjun Verma (Assistant Electrical Engineer), Male, S/O Shree Om Prakash Verma, R/O Village - Jarahi, P.O. - Mihipurwa, P.S. - Motipur, District - Bahraich (U.P.) at present Assistant Electrical Engineer, Itarhi, Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 12-09-2023 This application has been filed for quashing of the order dated 13.03.2020, passed in A.B.P. No. 138/2020, by Learned District and Session Judge 8th, Buxar, in connection with Rajpur P.S. Case No. 20/2020 only to the extent of the condition put in the said order whereby and where under the petitioner was directed to deposit half of (full amount Rs. 257962) of alleged theft/damage amount of Electricity department and to pay rest of the half amount in three installments.

2. The FIR shows that there is allegation against the petitioner of electric theft.



3. Learned counsel for the petitioner has submitted that nothing was seized from the possession of the petitioner and it is nothing but an abuse of the process of the Court.

4. On the raid conducted by the employees and officers of the Electricity Board, the petitioner was found pilfering out electricity.

5. In my view, it is not a fit case for quashing of the FIR. Accordingly, it is dismissed.

(Nawneet Kumar Pandey, J)

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