

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31155 of 2023

Arising Out of PS. Case No.-137 Year-2023 Thana- BRAHMPUR District- Buxar

ANKIT TIWARI Son of Late Hareram Tiwari Resident of village - Bhariar,
P.S. - Brahampur (Bhariar O.P.), Distt. - Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. South Bihar Power Distribution Corporation Limited, through the Assistant Electrical Engineer, Dumraon, Buxar, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parijat Saurav, Advocate

For the Opposite Party/s : Mr.Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 14-07-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail in connection with Brahampur (Chakki O.P.) PS case no. 137 of 2023, registered for the offences punishable under Section 135 of the Electricity Act.
3. The allegation is regarding the informant along with other personnel of the Electricity Department having conducted a raid at the premises of the petitioner, whereupon the petitioner was found using electricity in an unauthorized manner without any electricity connection and was running *Atta Chakki* by hooking electricity wire from the main L.T. line causing loss



to the Electricity Department to the tune of Rs. 2.23 lacs.

4. The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is ready and willing to deposit a sum of Rs. 1 lac with the office of the Assistant Engineer (Electrical), Electricity Supply Division, Dumraon in order to show his bonafides, hence, he be granted the privilege of anticipatory bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is ready and willing to deposit a sum of Rs. 1 lac out of the total loss amount of Rs. 2.23 lacs, I deem it fit and appropriate to direct the learned of court of Chief Judicial Magistrate, Buxar in connection with Brahampur (Chakki O.P.) PS case no. 137 of 2023, to admit the petitioner to the privilege of anticipatory bail, subject to him producing proof of deposit of a sum of Rs. 1 lac with the aforesaid Assistant Engineer (Electrical),



Electricity Supply Division, Dumraon and further, subject to such other conditions, as may be deemed fit and proper to be imposed by the learned trial court.

7. The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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