

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35870 of 2023

Arising Out of PS. Case No.-212 Year-2022 Thana- TATARPUR District- Bhagalpur

SHAILESH THAKUR @ MINTU THAKUR Son of Vijay Thakur Resident of Hardeo Das Dokania Dharmashala, Station Chauk, PS- Tatarpur, District- Bhagalpur (Bihar) at present residing at House No. 11, lower Nath Nagar Road, Intiza Hussain Lane, Naya Bazar, Ashanandpur, PS- Bhagalpur Town, District- Bhagalpur, Pin Code- 812002 (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 135 of the Bihar Electricity Act, 2003.

3. It is a case of power theft.

4. Learned counsel appearing for the petitioner submits that the petitioner is willing and ready to deposit the alleged amount of Rs. 1,71,579/- (one lakh seventy-one thousand five hundred and seventy-nine).

5. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six



weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VII, Bhagalpur in connection with Tatarpur P. S. Case No. 212 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioner that he shall refund Rs. 50,000/- (fifty thousand) through Bank Draft to the South Bihar Power Distribution Company Limited at the time of furnishing bail-bond and thereafter, rest amount i.e., 1,21,579/- (one lakh twenty-one thousand five hundred and seventy-nine) shall be deposited in four installments within one year through Bank Draft to the South Bihar Power Distribution Company Limited, failing which, the learned court below would be at liberty to cancel the bail-bond.

6. It is made clear that without going into the merit of the case, this order has been passed for the purpose of bail and payment of aforesaid amount shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

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