

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47756 of 2023

Arising Out of PS. Case No.-374 Year-2023 Thana- NAWADA District- Nawada

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BALESHWAR PRASAD SON OF LATE LALU CHAUHAN RESIDENT
OF VILLAGE KONIYAPAR PS NAWADA DIST NAWADA

... .. Petitioner/s

Versus

1. The State of Bihar
2. CHAIRMAN SOUTH BIHAR POWER DISTRIBUTION COMPANY
LIMITED, PATNA, BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Sheo Kumar Prasad, Adv.
For the Opposite Party/s :	Mr.Amitesh Kumar, APP.
	Mr. Ajay Kumar Gautam, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 135 of Indian Electricity Act, 2003.

3. Allegedly, petitioner is said to have stolen electrical energy illegally due to which South Bihar Power Distribution Co. Ltd. sustained loss of Rs. 1,34,482/-.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been



falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Petitioner is the legal consumer of the South Bihar Power Distribution Company Limited and he pays electricity bill regularly without any delay. It is further submitted that petitioner is ready to file an appeal against the final assessment order. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the South Bihar Power Distribution Company Limited oppose the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on **provisional bail** for a period of six months, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Nawada Town P.S. Case No. 374 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The provisional bail of the petitioner will be confirmed



by the learned Court below after filing of an appeal against the
final assessment order by the petitioner.

8. Accordingly, this applicant stands disposed of.

(Anjani Kumar Sharan, J)

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