

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52379 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- SULTANGANJ District- Patna

ANANT PRAKASH BHARTI SON OF LATE PREM CHANDRA SINHA
RESIDENT OF VILLAGE- VEENA SADAN, AZAD LANE,
CHOUDHARY TOLA, PS- SULTANGANJ, DISTT- PATNA

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harish Kumar
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh
For the SBPDCL	:	Mr. Ajay Kumar Gautam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners, learned

counsel for the SBPDCL as well as learned Additional Public

Prosecutor for the State.

2. The petitioner apprehends his arrest in a case

registered for the offence punishable under Sections 135 of the

Electricity Act.

3. The allegation against the petitioner is that he

committed theft of electricity through Smart Meter due to

which SBPDCL suffered a loss of Rs.38287/-.

4. It is submitted by learned counsel for the petitioner

that petitioner is quite innocent and have committed no

offence. He has been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. Learned counsel for the petitioner submits that the petitioner is ready to pay the loss amount i.e. Rs.38287/- in the concerned Department in three installments on objection with a right/liberty to recover this amount by initiating appropriate proceeding as and when required. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

5. Learned APP for the State as well as learned counsel for the SBPDCL opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the petitioner is ready to deposit the amount of Rs.38,287 in the concerned Department, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of eight 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 Sultanganj P.S. Case No.399 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, the learned Court below is directed to



accept the bail bond of the petitioner only after satisfying that
the petitioner has deposited the amount of Rs.38,287/- in the
concerned Department.

(Anjani Kumar Sharan, J)

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