

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57248 of 2023

Arising Out of PS. Case No.-125 Year-2022 Thana- FULKAHA District- Araria

PINTU KUMAR @ PINTU KUMAR GUPTA SON OF DINESH PRASAD
GUPTA RESIDENT OF VILLAGE - NAWABGANJ, WARD NO.04, P.S. -
FULKAHA, DISTRICT - ARARIA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NORTH BIHAR POWER DISTRIBUTION COMPANY LIMITED BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar
For the Opposite Party/s no. 2	:	Mr. Shrekant Sharan Singh
For the State	:	Mr.Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Fulkaha P.S. Case No. 125 of 2022, registered for the offences
punishable under Sections 135 and 138 of the Electricity Act, 2003.

3. As per allegation, on the basis of information regarding
theft of electricity, the informant along with other staff went on raid.
Thereafter, the raid team reached at the campus of water plant of the
petitioner and found that 6 KW electricity has been illegally used in
the campus, causing loss of Rs. 3,50,526/- and there is dues of
12,223/- on consumer no. 1042006184. The raiding party also
recovered 25 meter cable and electricity meter bearing Meter no.
SS15134736.



4. Learned counsel for the petitioner has submitted that the entire dues have been deposited by the petitioner. He has submitted further that as a matter of fact, the petitioner started the water plant, after taking loan from the bank. He failed to deposit the loan amount, as such, a case under SARFAESI Act was initiated by the bank against him and as per order of the Court, his plant has seized.

5. On the other hand, the learned counsel for the Electricity Department has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Fulkaha P.S. Case No. 125 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

U		T	
---	--	---	--

