

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59532 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- BIHTA District- Patna

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NAGESHWAR SHARMA S/O LATE AWADH BIHARI SINGH R/v-
Pandeypur, P.O.- Neura, P.S.- Bihta, District- Patna. Petitioner/s
Versus

1. The State of Bihar
 2. Navin Kumar, Junior Engineer Electricity, Electric Supply Section Neuora,
P.S.- Bihta, District- Patna (S.B.P.D.C.L)
- Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Navin Kumar
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 24-03-2023 Heard learned counsel for the petitioner, learned
counsel for the S.B.P.D.C.L. and learned A.P.P. for the State.

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

The allegation against the petitioner is that he was using electric without any valid meter connection illegally and accordingly caused loss to Rs.1,29,652/- to the government exchequer.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case merely on suspicion. As a matter of fact, the petitioner is a *bona fide* consumer having A/C PHUN-7080 of load 1 KV D.S.I. and consumer



no.N7080 and ID No.PWS/2018662/N-7080 vide Energy Bill No.PWS/2018662/N-7080. The petitioner is depositing his energy bills as raised by the department time to time and in proof thereof, he has annexed several energy bill vide Annexure-3 series. It is further submitted that whatsoever allegation alleged in the F.I.R. and fardbeyan against the petitioner is completely false and electric department illegally raided the premises of the petitioner and imposed fine against him. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as well as the nature of the allegation, let the above named petitioner, be released on bail, 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 Bihta (Neura O.P.) P.S. Case No. 100 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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