

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65409 of 2022

Arising Out of PS. Case No.-387 Year-2022 Thana- RAHUI District- Nalanda

SUBHASH YADAV @ SUBHAS KUMAR YADAV Son of Late Kameshwar
Yadav R/v- Hurhiya, P.S.- Rahui, District- Nalanda at Biharsharif

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chairman, South Bihar Power Distribution Company Limited, Patna,
Bihar Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-01-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 135 of the Electricity Act.

Allegedly, the petitioner was found running the wheat mill without connection of electricity. The petitioner did not produce any document regarding the same, which has incurred loss of the department to the tune of Rs.330850/-

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is the legal consumer of the South Bihar Power Distribution Company Limited. It is further submitted that there is a provision of the appeal and petitioner is ready to file an appeal before the



Appellate Authority with the payment of 30% of Rs.3,30,850/- within six weeks.

Accordingly, petitioner is directed to deposit 30% of Rs.3,30,850/- amounting to Rs.99,255/- in the concerned department within a period of six weeks from today.

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 weeks from today, 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 Rahui P.S. Case No.387 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The provisional bail of the petitioners shall be confirmed by the learned court below itself after showing that petitioner has filed appeal in the Appellate Authority after depositing the aforesaid amount.

(Anjani Kumar Sharan, J)

pallavi/-

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

