

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71228 of 2022

Arising Out of PS. Case No.-969 Year-2022 Thana- KHAJANCHI HAT District- Purnia

PAPPU YADAV @ PAPPU KUMAR SON OF LATE KALICHARAN
YADAV R/O HARDA BAZAR, VIDYARTHI CHOWK, P.S.- K. HAT
(MARANGA O.P.), DISTT.- PURNEA

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE NORTH BIHAR POWER DISTRIBUTION COMPANY LTD.,
GOVT. OF BIHAR, PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sanjeev Ranjan
For the Opposite Party/s :	Mr. Shree Kant Sharan Singh
For the NBPDCCL :	Dr. Anand Kumar
	Mr. Rajan Prakash

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-03-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 135, 138 of the Electricity Act, 2003.

As per the prosecution case, petitioner is alleged to have committed theft of electricity which caused a revenue loss of Rs. 12, 87, 180/- (twelve lakhs eighty seven thousand one hundred eighty only) to the Government.

It is submitted that there is a remedy available before the Settlement Committee and he may be allowed to appear before the Settlement Committee.

Counsel appearing for the Electricity Department



submits that the petitioner should deposit at least 50% of the dues and further submits that the settlement committee shall decide the matter.

In that view of the matter, petitioner is directed to deposit 25% of claimed amount within a period of six weeks from today before the settlement committee.

In view of the aforesaid facts and circumstance, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K. Hat (Maranga OP) P.S. Case No. 969 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that at the time of filing of bail bonds the petitioner shall furnish receipt showing deposit of 25% of the claimed amount failing which the court below shall pass order, in accordance with law.

(Prabhat Kumar Singh, J)

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