

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73697 of 2023

Arising Out of PS. Case No.-429 Year-2022 Thana- BHAGWAN BAZAR District- Saran

Dr. Shailendra Kumar Son of Chandra Mohan Singh, Resident of Village-
Gopeshwar Nagar, Near Party Zone, P.S.- Bhagwan Bazar, Distt -Saran at
Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bhagwan Bazar P.S. Case No. 429 of 2022 instituted under
Section 135 of the Electricity Act.

3. As per the prosecution case, the allegation against
the petitioner is that he use to use electricity by fixing *toka*
system which caused loss of Rs.6,86,998/- to the Electricity
Department. It is also alleged that there is previous dues of
Rs.1,26,158/- against the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is a medical practitioner who opened a clinic at newly
innovated purchased house on 12.08.2022 and he has previously



on 08.07.2022 made an application for the electricity connection and in the meantime, the said clinic in question was being run by Generator/ D.G. Set. He further submits that petitioner has no criminal antecedent and he is not involved in the theft of electricity as alleged and despite the application given for electricity connection, with mala-fide the F.I.R. has been lodged against the petitioner to save the provisions of penalty of Rs.1,000/- for each day in case of non-supply/ connection of electricity connection within one month from the date of application. He also submits that the allegation against the petitioner is general and vague.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Electricity Court, Tirhut Division, Muzaffarpur in connection with Bhagwan Bazar P.S. Case No. 429 of 2022, subject to the conditions laid down in Section 438(2) of the



Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J.)

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