

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3617 of 2023

Arising Out of PS. Case No.-876 Year-2021 Thana- LAKHISARAI District- Lakhisarai

DARSHAN SINGH @ DARSHAN SINGH SALUJA S/O LATE SANTOKH SINGH Resident of village- Naya Bazar, Punjabi Mohalla, Near Dr. Rajkishori Singh, P.S.- Kabaiya, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE SOUTH BIHAR POWER DISTRIBUTION COMPANY LTD. THROUGH ITS MANAGING DIRECTOR, BIHAR, PATNA. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No2, Advocate
For the State	:	Mr.Arun Kumar Singh, APP
For the O.P. No. 2	:	Mr. Ajay Kr. Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-05-2023 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Lakhisarai (Kabaiya) P.S. Case No. 876 of 2021 registered for the offences punishable under Section 135 of the Indian Electricity Act, 2003.

The allegation is regarding the electricity company having conducted a raid on the rented premise of the petitioner on the alleged date and time of occurrence, whereupon it was found that the petitioner was consuming electricity by illegal



means i.e. by connecting wire directly to the main LT line causing loss to the electricity company to the tune of Rs. 94,684/-.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent, however, in order to show his bonafides, he is ready to deposit a sum of Rs. 50,000/- before the Executive Engineer, Electric Supply Division, Lakhisarai, hence he be admitted to the privilege of bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is ready to deposit a sum of Rs. 50,000/- with the Executive Engineer, Electric Supply Division, Lakhisarai, in order to show his



bonafide, I deem it fit and proper to direct the learned court of Chief Judicial Magistrate, Lakhisarai to admit the petitioner herein to the privilege of bail in connection with Lakhisarai (Kabaiya) P.S. Case No. 876 of 2021, subject to him showing the proof of deposit of a sum of Rs. 50,000/- as aforesaid, and further subject to such other conditions as may be deemed fit and proper to be imposed for the purposes of grant of bail.

The petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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