

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO.371 OF 2023**

**SUBHASH BHIMRAO KADAM  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr.S.R.Andhale, Advocate for applicant  
Mr.K.N.Lokhande, Advocate for respondent

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**CORAM : R.G. AVACHAT, J.  
DATE : MARCH 28, 2023**

**ORDER :-**

Heard.

2. After hearing learned counsel for the applicant for a while and after going through the FIR and related papers placed on record by learned APP, it was found that the applicant was really involved in commission of theft of electricity worth Rs.51 Lakhs. It was also found that the electricity meter was also tampered. Section 138 of the Electricity Act was not invoked only with a view that it is not compoundable offence. For all above reasons, this Court was not inclined to allow the application. Yesterday, learned counsel had made a statement that the applicant would deposit Rs.7 Lakhs towards the costs of the alleged theft of electricity. Today, learned counsel for the

applicant, on instructions, goes back of his statement and seeks withdrawal of the application.

3. In view of the above, the application is dismissed as withdrawn.

**[R.G. AVACHAT, J.]**

**KBP**