

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7419 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- KURSAILA District- Katihar

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Ashok Mandal @ Ashok Kumar Mandal Son of Late Koko Mandal R/o vill -
Tingharia, ward no. 4, P.S. - Kursela, Distt. - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. North Bihar Power Distribution Com. Ltd., Bihar, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Rajendra Prasad Sah, Advocate
For the Opposite Party/s :	Mr. Shyameshwar Dayal, APP
For the O.P. No. 2 :	Mr. Ajay Kumar Gautam, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for O.P. No. 2.

2. The petitioner apprehend his arrest in connection
with Kursela P.S. Case No. 170 of 2023 instituted under Section
135 of the Electricity Act.

3. As per the prosecution case, there is allegation of
committing theft of electricity against the petitioner for running
flour mill and causing loss of Rs. 8,32,786/= to O.P. No. 2.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the father of the petitioner was
running the flour mill earlier and the same on account of loss
close much earlier and without verifying the said fact, the F.I.R.



has been lodged for taking illegal connection. However, without prejudice to his right, the petitioner is ready to deposit 25 % of the alleged total amount with informant/O.P. No. 2 within four weeks.

5. Learned counsels for opposite party have not opposed the proposal of the petitioner.

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/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned C.J.M. Katihar in connection with Kursela P.S. Case No. 170 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 with further condition that the petitioner shall deposit the 25 % of the alleged total amount with the informant/O.P. No. 2 within four weeks.

(Sunil Dutta Mishra, J)

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