

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7930 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- KIUL District- Lakhisarai

=====

Dinanath Verma, Son of Ganesh Prasad Verma, R/o vill - Khagaur, P.S. - Kiul,
Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Md. Irshad, Advocate
For the State	:	Dr. Indihar Kumari, APP
For the O.P. No.2	:	Mr. Ajay Kumar Gautam, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned

APP for the State as well as learned counsel for the opposite

party no.2.

2. In this case, the petitioner is apprehending his arrest
in connection with Kiul P.S. Case No. 85 of 2023, registered for
the offences under Section 135 of Electricity Act, 2003.

3. As per prosecution case, the petitioner has been
booked for theft of electricity and a bill of Rs. 4,14,726/- has
been raised on account of such theft. It has further been noticed
that on the said premises already a arrear bill of Rs. 1,56,360/-
was existing in the name of the wife of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. No signature of petitioner was obtained on the seizure list and this makes the seizure suspect. Learned counsel further submits that there is only one electricity connection existing in the name of the petitioner which got disconnected in the year 2018. The petitioner never consumed the electricity illegally. However, the petitioner wants to make payment of the theft amount in easy installments. Petitioner is having clean antecedent.

5. Learned APP as well as learned counsel appearing on behalf of South Bihar Power Distribution Corporation Limited vehemently oppose the prayer for anticipatory bail. Learned counsel for the SBPDCL submits that the company may accept the payment of theft amount without prejudice to its rights.

6. Having considered the submission of learned counsel for the petitioner with regard to the payment of theft amount in installments. Petitioner is directed to pay the amount of Rs. 4,14,726/- in six equal installments. First installment shall be paid on or before 15.04.2024 and thereafter the five installments shall be paid from 10th to 15th day of every month. Subject to payment as undertaken by the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from



today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai/court concerned in connection with Kiul P.S. Case No. 85 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

The bail bond of the petitioner will be provisionally accepted which will be confirmed after payment of last installment.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

