

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13441 of 2024

Arising Out of PS. Case No.-1434 Year-2023 Thana- NAWADA District- Nawada

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1. Kanchan Kumari wife of Sunil Rawat Village- Gandhi Ashram Shom Mandir Bhadauni Ps- Nagar Dist- Nawada
 2. Sunil Rawat son of Kameshwar Rawat Village- Gandhi Ashram Shom Mandir Bhadauni Ps- Nagar Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 08-07-2024 Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 353/34 of the Indian Penal Code and Section 135 of the Electricity Act.

3. As per prosecution case, these petitioners committed theft of electricity and caused loss of Rs. 1,12,524/- to the company.

4. Learned counsel for the petitioners submits that petitioners are *bona fide* consumers of the electricity for the domestic purpose from the company in question and they have paid the bill continuously. It is next submitted that petitioners



have falsely been implicated in this case. However, at this stage, they are ready to pay the alleged amount i.e. Rs. 1,12,524/- (Rs. One Lac Twelve Thousand Five Hundred Twenty Four) in easy installments, without admitting their guilt.

5. Considering the aforesaid contention made on behalf of the petitioners, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Special Judge (Electricity), Magadh Area, Gaya in connection with Nawada Town P. S. Case No. 1434 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioner that :-

(i) Petitioners shall deposit Rs. 50,000/- (Rs. Fifty Thousand) through Bank Draft in the *Nazarat* of the court below and produce its receipt at the time of furnishing bail-bond and thereafter, rest amount i.e., 62,524/- (Rs. Sixty Two Thousand Five Hundred Twenty Four) shall be deposited in three equal installments of Rs. 20,841.33/- (Rs. Twenty Thousand Eight Hundred Forty One and Thirty Three Paise) each within a period



of six months through Bank Draft in the *Nazarat* of the court below, failing which, the learned court below shall be at liberty to cancel the bail-bond.

6. It is made clear that without going into the merit of the case, this order has been passed only for the purpose of bail and payment of aforesaid amount shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

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