

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22240 of 2024

Arising Out of PS. Case No.-35 Year-2023 Thana- CHANAN District- Lakhisarai

Nandlal Yadav Son of Garib Yadav Resident of vill.-Janakidih, Beldaria, P.S.-
Chanan, Distt.-Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. South Bihar Power Distribution Company Limited, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar. APP
Mr. Ajay Kumar Gautam, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-06-2024 Heard learned counsel for the petitioners and
theState.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under Section 135 of the Bihar
Electricity Act.

3. As per prosecution case, petitioner is alleged to
have committed theft of electricity to the tune of Rs. 3,27,501/-
(Rupees Three Lacs Twenty Seven Thousand Five Hundred
One) to the South Bihar Power Distribution Co. Ltd.

4. After some argument, learned counsel for the
petitioner submits that petitioner is ready to deposit 50% of the
alleged loss amount to the concerned electricity department.

5. Considering the aforesaid contention made on



behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his 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) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate- 1st, Lakhisarai in connection with Chanan P.S. Case No. 35 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioners that:-

(i) Petitioner shall refund 50% of Rs. 3,27,501/- i.e. Rs. 1,63,750.50/- (Rs. One Lakh Sixty Three Thousand Seven Hundred Fifty and Fifty Paise) to the South Bihar Power Distribution Company Ltd., Patna, Bihar and produce receipt of the same at the time of furnishing the bail-bond, failing which, the learned court below would be at liberty to cancel the bail-bond.

6. It is made clear that this order has been passed for the purpose of bail, without going into the merit of the case.

(Prabhat Kumar Singh, J)

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