

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50550 of 2018**

Arising Out of PS. Case No.-295 Year-2014 Thana- BISFI District- Madhubani

Md. Shamim, S/o Md. Hanif, R/o Vill.- Khairj Banka, P.S.- Bisfi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. North Bihar Power Distribution Co. Ltd. through SDO, Electric Supply Division, Madhubani.
3. The Assistant Electrical Engineer Electric Supply Sub Division Bisfi Banipatti, Madhubani.
4. The Junior Electrical Engineer Electric Supply Sub- Division Bisfi Benipatti, Madhubani.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : None

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI**  
**ORAL ORDER**

2      01-05-2024                      By filing instant miscellaneous case under Section 482 of the CrPC. The petitioner has prayed for quashing of the order dated 26<sup>th</sup> April 2016 passed in T.R. No. 2094 of 2016 corresponding to GR No. 3172 of 2014 arising out of Bisfi P.S. Case No. 295 of 2014 dated 12<sup>th</sup> November 2014, whereby and whereunder the learned Munsif cum Judicial Magistrate I<sup>st</sup> Class, Benipatti took cognizance of the offence under Section 135 of the Electricity Act and issued process against the petitioner.

2. The petitioner is not represented by his Advocate.



3. No accommodation is sought for.

4. Learned Advocate for the North Bihar Power Distribution Co. Ltd. is present. He refers to Paragraph 07 of the counter-affidavit, wherein it is averred on behalf of the respondents that on 11<sup>th</sup> November 2014, a joint raid was conducted by the Junior Engineer, Technical Engineer along with the police attached to the jurisdictional police station to find out the illegal consumption and theft of electricity. During such raid, the raiding party found theft of electricity in the shop of one more Md. Jamil. Accordingly, FIR was registered by the Junior Technical Engineer under Section 135 of the Indian Electricity Act and a fine of Rs. 24960/- was imposed against one Md. Jamil in the instant case. The petitioner is one Md. Shamim, who is the full brother of the said Mr. Jamil.

5. On perusal of the materials available on record, I find that the learned Magistrate took cognizance of offence in accordance with the law and the said order is absolutely legal, valid and appropriate.

6. In view of such circumstances, I do not find any merit in the instant application. The instant application under Section 482 of the CrPC is thus, rejected.

7. Accordingly, the instant miscellaneous case is



dismissed.

**(Bibek Chaudhuri, J)**

Suraj Dubey/-

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