

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21241 of 2024

Arising Out of PS. Case No.-777 Year-2023 Thana- BODHGAYA District- Gaya

Satyanarayan Singh @ Satnarayan Singh Son of Late Raghunandan Singh
Resident of Village- Rajput Tola, Amwa, Police Station- Bodhgaya, District-
Gaya Petitioner/s

Versus

1. The State of Bihar
2. Suman Kumar Son of Bhairav Prasad Resident of Village- Madhuwan, P.O.-
Madhuwan, P.S. Madhuwan, District- East Champaran presently posted as
Junior Electrical Engineer, Electric Supply Division, Bodhgaya (Town),
District-Gaya Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Yogendra Kumar, APP.
For Informant	:	Mr. Ajay Kumar Gautam, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing for the
Electricity Department.

2. The petitioner apprehends his arrest in connection with
Bodhgaya P.S. Case No. 777 of 2023 dated 03.10.2023
instituted for the offence punishable under Sections 135 of the
Indian Electricity Act.

3. As per prosecution case, the informant along with other
raiding party conducted a raid in the premises of the petitioner
and found that a valid electricity connection was established in
his name bearing consumer ID No. 226406452005. The
informant further alleged that despite the valid connection, the



petitioner was consuming electrical energy illegally by interrupting the incoming service wire with another PVC wire before the meter whose load was found to be 1158 Watt. It is further alleged that there is an additional domestic connection in the same premises on his name bearing consumer ID No. 227201269076 on which the outstanding amount is Rs. 97,818/- and fine of Rs. 45,624/- due to which South Bihar Power Distribution Co. Ltd. sustained total loss of Rs. 1,43,442/-.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. It is submitted that the seizure list has not been prepared in presence of the petitioner or before any independent witness. It is submitted that the falsity of the case is apparent from the FIR itself that the informant alleged to consuming electrical energy illegally by interrupting the incoming service wire with PVC wire before the meter but seizure report does not support such allegation as no any material was seized showing interrupting the incoming service wife with another PVC wire from main service wire which falsify the prosecution case but only on the basis of suspicion, the petitioner has been made accused in the this case. Learned counsel further submits that the petitioner is ready to deposit half of the amount of fine i.e., Rs. 45,624/- at



the time furnishing bail bond subject to the result of the trial. It has been submitted that the petitioner has got no criminal case against him.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bodhgaya P.S. Case No. 777 of 2023, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Electricity), Magadh Area, Gaya subject to conditions as laid down under Section 438(2) of the Cr.P.C. subject to the further condition that the petitioner, at the time of furnishing bail bond, shall deposit half of the amount of fine i.e., Rs. 45,624/- and the said amount shall be subject to the outcome of the trial.

(Khatim Reza, J)

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