

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26221 of 2024

Arising Out of PS. Case No.-384 Year-2021 Thana- BARAUNI District- Begusarai

Dinesh Sharma S/o- Late Bishundeo Sharma R/o Vill- Sudi Asthan, P.S-
Barauni, Dist- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The North Bihar Power Distribution Company Ltd. Patna Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amar Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Shantanu Kumar, APP
	Dr. Anand Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 23-07-2024 Heard learned counsel for the petitioner, State and
opposite party no. 2/North Bihar Power Distribution Co.Ltd.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 135 of the Electricity Act.

3. It is alleged that this petitioner caused revenue loss of Rs. 41,000/- (Rupees forty one thousand) to the department by consuming electricity, which was running in the name of his late father, and later on, without depositing the aforesaid amount, started consuming energy by taking a fresh connection in his own name, since old connection was stopped due to arrears of electricity charge.

4. Learned counsel for the petitioner submits that there is no pending electricity dues against this petitioner,



however, without admitting the allegation made in the F.I.R., submits that the petitioner is ready to deposit alleged amount of ***Rs. 41,000/- (Rupees forty one thousand)*** in easy installments in the Nazarat of the Civil Court, which will be subject to final result of the case.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender 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 learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 384 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall deposit Rs. 21,000/- (twenty one thousand) in the *Nazarat* of Civil Court, Begusarai.

(B) Rest amount i.e. Rs. 20,000/- (twenty thousand) shall be deposited in the *Nazarat* of Civil Court, Begusarai in two equal installments of Rs. 10,000/- (ten thousand) each within a period of six months from the date of furnishing bail-bond.

(C) The aforesaid payment shall be subject to final outcome of the case.

(D) If petitioner fails to comply the direction



of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

6. This order has been passed, without going into the merit of the case, only for the purpose of considering the prayer for anticipatory bail of petitioner.

(Prabhat Kumar Singh, J)

anay

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

