

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27543 of 2024

Arising Out of PS. Case No.-758 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Rakesh Kumar S/o- Arvind Ray R/o Vill- Sikandarpur, Ward No. 06, P.S-
Muffasil, P.O- Rajaura, Dist- Begusarai.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Amar Kumar Singh, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP
For Opposite Party No.2 :		Mr. Hansraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-07-2024 Heard learned counsels for the parties.

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

3. It is a case of electricity theft. Petitioner is alleged to have caused revenue loss of Rs. 2,07,840/-.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has been falsely implicated in this case merely on suspicion. However, at this stage, it is submitted that without admitting his guilt and while denying the prosecution case, the petitioner is ready to deposit 50 per cent of the alleged amount of revenue loss, amounting to



Rs. 1,03,920/- (Rupees one lakh three thousand nine hundred and twenty only).

5. Considering the aforesaid facts and circumstances, prayer for grant of anticipatory bail to the petitioner is allowed.

6. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 Muffasil P.S. Case No. 758 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, along with the following terms and conditions:

- A. The petitioner shall deposit a sum of **Rs. 51,960/-** (Fifty one thousand nine hundred sixty rupees) through demand draft to the Executive Engineer, Electric Supply Division Rural, Begusarai and at the time of furnishing bail bond, receipt of the same shall be filed.
- B. Rest amount i.e. **Rs. 51,960/-** (Fifty one thousand nine hundred sixty rupees) shall be deposited through demand draft to the Executive Engineer, Electric Supply Division Rural, Begusarai, in four equal installments within a period of one year from the date of furnishing bail-bond.
- C. If petitioner fails to comply the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioner.



7. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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