

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29575 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- BANNUBAGICHA District- Lakhisarai

Kameshwar Saw @ Kameshwar Prasad Verma S/o- Ram Chandra Saw
Village- Radha Nagar, Beldariya Ps- Bannu Bagicha Dist- lakhisarai

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabi Bhushan, Adv.
For the State	:	Mr. Abhay Kumar, APP
For the O.P. No. 2	:	Mr. Ajay Kr. Gautam, Adv.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-05-2024 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing for the State.

2. In this present case, the petitioner is apprehending his arrest in connection with Bannu Bagicha P.S. Case No. 20 of 2023, registered on 14.07.2023 for the offences under Section 135 of the Electricity Act, 2003.

3. As per prosecution case, the petitioner was found committing theft of electricity by bypassing the meter and in this manner, the petitioner caused loss of Rs. 4,15,888/- to the electricity company.

4. Learned counsel appearing for the petitioner at the outset submits that petitioner deny the allegation still in order to buy peace, he is ready to make payment of the theft amount of

Rs. 4,15,888/- along with the outstanding amount of bill of Rs. 2,681/- in easy installments. He further submits that there is no criminal antecedent of the petitioner and the seizure list has been prepared in complete non-compliance of the provisions of law.

5. Learned A.P.P. and learned counsel appearing on behalf of the State and informant company opposes the submissions made by the petitioner and submits that petitioner should make the payment in one go.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is ready and willing to make the payment of the theft amount in easy instalment, let the petitioner, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai/concerned court in connection with Bannu Bagicha P.S. Case No. 20 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) The petitioner shall make payment of Rs. 4,15,888/- + Rs. 2,681 = Rs. 4,18,569/- in 10 equal monthly installment starting from 1st June, 2024.

(Arun Kumar Jha, J)

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