

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36650 of 2024

Arising Out of PS. Case No.-668 Year-2023 Thana- BIHPUR District- Bhagalpur

Vijay Kumar Sharma Son of Late Baleshwar Sharma Resident of Village-
JaipurChuhar Tola Balha, P.S- Bhawanipur, Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. South Bihar power Distribution Company Limited Through its General
Manager (Administration) Vidut Bhavan , Bailey Road

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Pranav Kumar, APP.
For the S.B.P.D.C.L.	:	Mr. Dr. Anand Kumar, Adv.
		Mr. Rajan Prakash, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the South Bihar Power
Distribution Company Limited.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 135 of the Electricity Act, 2003.

3. Allegedly, the petitioner was found indulged in theft of
electricity by converting the electric wire and thus caused a
loss of Rs.5,15,740/- to the Electricity Department.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case due to malafide intention. It is submitted that the petitioner is ready to file an appeal before the Appellate Authority against the final assessment order. He further submits that the similarly situated co-accused has been granted bail by this Court vide order dated 04.04.2024 in Cr. Misc. No. 22112 of 2024. Petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned counsel for the O.P. No.2 has no objection.

6. Having regard to the facts and circumstances of the case, since the petitioner is ready to file an Appeal, let the above named petitioner, be released on **provisional bail** for a period of six weeks from today, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bihpur (Bhawanipur) P.S. Case No. 668 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The provisional bail of the petitioner shall be confirmed



by the learned court below itself after verifying that the
petitioner filed the appeal before the Appellate Authority.

(Anjani Kumar Sharan, J)

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