

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40741 of 2024

Arising Out of PS. Case No.-843 Year-2023 Thana- BEUR District- Patna

Alok Kumar son of Sri Brij Lala Prasad R/o- Salanpur Kako Jehanabad, Bihar
A/P- Near Yamaha Service Centre 70 feet Road Pakri Po- Pakari Ps- Beur
Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Assistant Electrical Engineer, Electric Supply Upper Division,
S.B.P.D.C. Ltd. Punpun Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajan Prakash, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP
For the Board	:	Mr. Mukti Nath, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2024 Heard Mr. Rajan Prakash, learned counsel for the

petitioner, Mr. Mukti Nath, learned counsel appearing on behalf

of the Board as well as Mr. Mohammad Sufyan, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Beur P.S. Case No. 843 of 2023, F.I.R. dated
17.12.2023 for the offences punishable under Section 135 of the
Electricity Act, 2003.

3. According to prosecution case, this petitioner was
consuming electricity by illegal means due to which the Board
had a loss of Rs. 10,98,628/-.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner has move before this Hon'ble Court in CWJC No. 3633 of 2024 for restoration of electricity and the same was disposed of on 08.04.2024 with the direction to pay 50% of the alleged amount to Corporation in two installments and in compliance of the order dated 08.04.2024 the petitioner has already deposited Rs. 2,74,657/- on 13.04.2024 and the rest amount i.e. Rs. 2,74,657 was deposited on 16.05.2024. Hence, the petitioner has deposited 50% of the total amount in compliance of the direction of this Hon'ble Court.

5. The learned counsel appearing on behalf of the Board submits that the petitioner has complied the order of this Hon'ble Court passed in CWJC No. 3633 of 2024.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Electricity) PESU Area, Patna in connection with Beur P.S. Case No. 843 of 2023, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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