

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46038 of 2024

Arising Out of PS. Case No.-43 Year-2023 Thana- RAIYAM District- Darbhanga

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Amarjeet Paswan @ Anarjeet Paswan, Son of Sri Budhu Paswan, resident of Vill- Mohanpur, P.S.- Raiyam, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Junior Electric Engineer, Electric supply Division, North Bihar Power Distribution Company Limited, Kewati, Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Surendra Kumar, Advocate.
For the State	:	Mr. Satyendra Narayan Singh, APP
For the Opposite Party No.2:	:	Mr. Shrekant Sharan Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 26-10-2024 Counter affidavit has been filed on behalf of the Opposite Party No. 2. Let it be kept on the record.

2. Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the Opposite Party No. 2.

3. The petitioner seeks bail, apprehending his arrest, in connection with Raiyam P.S. Case No. 43 of 2023 dated 20.08.2023 registered for the offence punishable under Section 135 of Electricity Act.

4. As per allegation, the petitioner was using electricity for commercial purpose without taking any electricity connection causing loss of Rs.3,24,478/- to the electricity department.

5. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further



submits that the procedure of seizure has not been followed. There is no witness in support of the allegation.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. It has further been stated in paragraph no.3 of the bail petition that the petitioner has got no criminal antecedent.

8. However, learned counsel for the Opposite Party No. 2 and learned APP for the State vehemently oppose the prayer of the Petitioner for anticipatory bail submitting that the allegation against the petitioner is serious in view of the fact that if such offence continues, the whole system of electricity supply in the State of Bihar would collapse. The complainant is a government official and he has no animosity with the petitioner, nor has he any motive to falsely implicate him.

9. Considering the aforesaid facts and circumstances, I am not persuaded to enlarge the petitioner on anticipatory bail.

10. The prayer for anticipatory bail of the petitioner stands rejected.

(Jitendra Kumar, J)

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