

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57527 of 2024

Arising Out of PS. Case No.-187 Year-2023 Thana- SANHAULA District- Bhagalpur

Bhagwan Pandit Son of Late Sahdeo Pandit R/O Vill.- Mahdevpur, P.s.-
Sanhoula, Dist.- Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chairman, South Bihar Power Distribution Company Limited Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijendra Kumar Singh, Adv.
For SBPDCL	:	Mr. Deepak Kumar, Adv.
For the State	:	Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 135 of the Bihar Electricity Act, 2003.

3. As per FIR, it is alleged that the petitioner was doing act of theft of electricity for industrial purpose causing loss of Rs. 7,37,397/- of the Electricity Department.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the meter was properly working and the electricity meter reading was according to load and in this regard the Department never made any complaint against the petitioner. He further submits that petitioner has no criminal



antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and South Bihar Power Distribution Company Ltd. oppose the prayer for bail.

6. Petitioner is directed to file an appeal before the Appellate Authority within a period of six weeks from today.

7. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on **provisional bail for eight weeks** 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 Sanhoula P.S. Case No. 187 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. The learned court below shall confirm the provisional bail of the petitioner after verifying the fact that the petitioner has filed the appeal before the Appellate Authority.

(Anjani Kumar Sharan, J)

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