

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53925 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- Tilkamanjhi District- Bhagalpur

Manoj Kumar Yadav S/o Ram Ayodhaya Prasad Yadav R/o vill - Gandhi
Gram, Near Camp Jail, P.S. Tilkamanjhi, Dist. Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Electricity Department, South Bihar Power Distribution Company Ltd.
Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Davendra Kumar Pandey, Adv.
For the State	:	Mr. Jitendra Kumar Singh, APP
For the O.P.2	:	Mr. Deepak Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-09-2024 Heard learned counsel for the petitioner, State and
opposite party no. 2.

2. The petitioner apprehends his arrest in a complaint
case punishable for the offence under Section 135 of the Bihar
Electricity Act.

3. It is a case of ‘theft of electricity’. Allegation
against petitioner is that he was consuming electricity in his
premises directly from the electric pole and due to which, the
electricity department has suffered a loss of Rs. 1,81,616/-.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case. Uptillnow, no
final assessment has been made by the concerned department
and no notice to this effect has been given to the petitioner. As a



matter of fact, the electric connection is running in the name of father of petitioner. However, at this stage, without admitting the guilt, learned counsel for the petitioner submits that petitioner is ready to deposit entire amount, which department has suffered, in easy installment, for which, learned counsel for the opposite party no.2/South Bihar Power Distribution Co. Ltd. does not oppose.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Tilkamanjhi P.S. Case No. 12 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall deposit **Rs. 50,000/-** (fifty thousand) through cash/ demand draft in the office of Revenue S.D.O., South Bihar Power Holding Company Ltd., Bhagalpur/ concerned office of Electricity Department, Bhagalpur.

(B) Rest amount i.e. **Rs. 1,31,616/-** shall be deposited in the aforesaid office in 3 (three) installments within a period of six months from the date of furnishing bail-bond.



(C) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

6. It is made clear that aforesaid order has been passed only for considering the prayer for anticipatory bail without going into the merit of the case.

(Prabhat Kumar Singh, J)

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