

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70004 of 2024

Arising Out of PS. Case No.-256 Year-2023 Thana- CHARPOKHARI District- Bhojpur

Vijay Kumar Ram S/o- Kalaktar Ram Resident of Village- Garahani, P.S.
Charpokhari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Ranjan Pd. Singh, Adv.
For the Opposite Party/s	:	Mr. Rajiv Nayan, APP.
For the SBPDCL	:	Mr. Deepak Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-10-2024 Heard learned counsel for the petitioner, learned A.P.P. 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 offences punishable under Section 135 of the Electricity Act.

3. Allegedly, petitioner is said to have committed theft of electricity causing energy loss for Rs. 1,68,606/-.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and



based on concocted facts. He was not running his mill by committing theft of electricity rather the real fact is that the Authority concerned were demanding illegal gratification from the petitioner, which was denied resulting this false case. Learned counsel further submits that petitioner is ready to pay the loss amount i.e. Rs. 1,68,606/- in 4-5 installments. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the South Bihar Power Distribution Company Limited opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since petitioner is ready to pay the loss amount i.e. 1,68,606/- to the Authority concerned, let the above named petitioner, be released on provisional bail for a period of ten months, 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 Charpokhari P.S. Case No. 256 of 2023, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C.

7. After full and final payment of Rs.1,68,606.00 (Rupees One Lakh Sixty Eight Thousand Six Hundred Six), the provisional bail of the petitioner will be confirmed by the learned Court below.

8. In view of the aforesaid, this application stands disposed of.

(Anjani Kumar Sharan, J)

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