

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2634 of 2022

Arising Out of PS. Case No.-396 Year-2013 Thana- KANKARBAG District- Patna

BALDEV SINGH @ VIKKI SINGH @ BALLE SINGH Son of Late Gyan
Singh Resident of Main Road, Kankarbagh, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Assistant Electrical Engineer, Electric Supply Lower Division,
Kankarbagh, P.S.- Kankarbagh, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Mistry

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 27-03-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Electricity Company.

2. The present application has been filed for quashing
of the order dated 16.11.2019 by which learned Magistrate has
rejected the representation of the petitioner and also cancelled
the bail bond of the petitioner in connection with Kankarbagh
P.S. Case No. 396 of 2013 (Special Case No. 1013 of 2013) for
the offence u/s 317 of the Cr.P.C.

3. The prosecution case in brief is that an inspection
was carried out within the Saw Mill premises and it was found
that the theft of electricity has been committed by the petitioner
and the main meter was found to be tampered. It is further



alleged that the Rs. 3,82,857/- of revenue loss caused to South Bihar Power Distribution Company Ltd. and accordingly the F.I.R. was lodged.

4. Learned counsel for the petitioner submits that bail bonds was cancelled on the same day after rejecting the representation filed under section 317 of Cr.P.C. and the same is not permissible in law in view of the law laid down by this Court in the case of *Sandeep Kumar Tekriwal vs. State of Bihar & Anr. reported as 2009(2) PLJR 260*.

5. Learned counsel for the Electricity Company has opposed the application in view of the law laid down by this Court in the case of *Sandeep Kumar Tekriwal* (supra).

6. In view of above, this application is allowed.

7. The impugned order dated 16.11.2019 by which learned Magistrate has cancelled the bail bond and issued NBW is quashed. The petitioner will appear in the court below within one month and execute fresh bail bonds in Kankarbagh P.S. Case No. 396 of 2013 (Special Case No. 1013 of 2013).

(Sandeep Kumar, J)

Ranjeet/-

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