

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39830 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- Babarganj District- Bhagalpur

Subodh Kumar Sharma @ Subodh Mistri @ Subodh Sharma Son of Kailash Sharma
@ Kailash Mistry Resident of Village/Mohalla- Aliganj, Gangti Road, Near New
Thakurbvari, P.O.- Mirganhat, P.S.- Babarganj, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jitendra Kumar Son of not known Assistant Electrical Engineer-cum-Assessing
Officer, Electricity Supply Sub Division, Mojahidpur, Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Sharma, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Babarganj P.S. Case No. 119 of 2024 registered for the
offences punishable under Sections 135 of the Electricity Act,
2003.

3. As per the prosecution case, when the informant,
namely, Jitendra Kumar (Assistant Electrical Engineer-cum-
Assessment Officer, Electricity supply sub-Division,
Mojahidpur) along with his team on the basis of a secret
information went on a raid upon which he found that one
person, namely, Subodh Kumar Sharma (petitioner) was found
doing ToTo charging work by tapping from a separate LT line on
a commercial premises with a commercial electricity connection
registered with his name in his premises whose Consumer no. is



233609693634 and Meter No.7124793, make-Genus, due to which South Bihar Power Distribution Company Limited has suffered an estimated revenue loss of about Rs.2,47,661/- (Rupees two lakhs forty seven thousand six hundred sixty one).

4. Learned counsel for the petitioner submits that petitioner has been falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that he is ready to pay the dues electricity bill amounting to Rs. 2,47,661/- in two equal installments to the concerned Office as stated in the FIR. He next submits that petitioner has got two criminal antecedents as stated in para-3 of the bail petition.

5. Learned counsel for the State opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner, let the above named petitioner be released on ***provisional bail***, in the event of his arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Bhagalpur in connection with Babarganj P.S Case No. 119 of



2024 subject to the condition laid down under Section 482 of B.N.S.S with a further condition that petitioner is directed to pay the dues of total electricity bill amounting to Rs.2,47,661/- in two equal installments, first installment at the time of furnishing bail bond and the learned Trial Court shall accept the *provisional* bail bond of the petitioner and the remaining second installment is to be paid within a period of six months from the date of this order in the concerned Office and if the above total dues electricity amount is not paid by the petitioner, then the learned Trial Court shall cancel the bail bond of the petitioner otherwise if the installments are being duly paid by the petitioner then the learned Trial Court shall confirm the bail bond of the petitioner.

(Ramesh Chand Malviya, J)

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