

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42611 of 2025

Arising out of PS. Case No.-51 Year-2025 Thana- Rangara District- Bhagalpur

Heera Lal Mandal, S/o- Hakim Mandal, Resident of Village- Simriya PS-
Rangra, Dist- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar through South Bihar Power Distribution Company Limited
District- Bhagalpur, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s: Mr. Deepak Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 18-12-2025 Heard Mr. Bhola Prasad, learned counsel for the peti-

tioner and Mr. Deepak Kumar, learned counsel for South Bihar

Power Distribution Company Limited.

2. The petitioner apprehends his arrest in connection
with Rangra P.S Case No. 51 of 2025 registered under section
135 of the Electricity Act lodged on 21.03.2025 by the infor-
mant, Barun Kumar, Assistant Electric Engineer.

3. As per the prosecution story, the informant, Barun
Kumar, Assistant Electric Engineer submitted a written report
before the police that the raiding party reached at the industrial
premises of the petitioner and found that petitioner was commit-
ting theft of electricity by hooking the wire directly without
passing the wire through meter to use the flour mill. Thus, South



Bihar Power Distribution Company Limited (for short 'Company') made a loss of Rs. 3,88,528/- which followed the FIR.

4. Earlier, the Co-ordinate Benches of this Court took up the matter and on assurance of the petitioner that he shall be clearing the amount within two months after amicable settlement, interim relief was granted to the petitioner. After taking up the matter on 12.11.2025 and 03.12.2025, no effort for settlement was made by the petitioner. Today, learned counsel for the Company submits that not a single penny has been paid by the petitioner which shows his intent of not making the payment of loss of electricity caused by him.

5. Learned counsel for the petitioner submits that the petitioner will try his level best for making the payment and shall be paying the entire amount in next six weeks. The petitioner does not have criminal antecedent.

6. Learned counsel for the Company submits that if the demand draft of Rs. 3,88,528/- is being paid to the Company at the time of execution of bail bonds, he do not have any objection.

7. Considering the submissions with consent of the parties, in that background, this Court is inclined to grant anticipatory bail to the petitioner subject to payment of Rs. 3,88,528/-



through demand draft in favour of South Bihar Power Distribution Company Limited and only after such demand draft is submitted, the bail bonds of the petitioner be accepted.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail **after making payment of aforesaid amount through demand draft in favour of South Bihar Power Distribution Company Limited** on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of the learned CJM, Naugachia, Bhagalpur in connection with Rangra P.S Case No. 51 of 2025 to the following conditions:-

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*.

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark attendance and at the end of the period, the certificate be submitted



to the court.

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

9. The petitioner will be entitled to receive the details of depositing the aforesaid amount from the Office of the Company will also have the right to agitate/realize the amount in accordance with law.

10. With the aforesaid observations, the present anticipatory bail application stands disposed of.

(Rajiv Roy, J)

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