

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43845 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- Mau District- Gaya

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Sintu kumar S/o Durga singh R/o Village- Ghanghaul, P.S.- Mau, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Mau (Gaya) P.S. Case No. 14 of 2025 lodged on 12.01.2025, for the offence punishable under Section 135 of the Indian Electricity Act, 2003, pending in the Court of Special Court (Electricity) Magadh area, Gaya.

3. As per the prosecution, FIR has been lodged against the sole petitioner. It has been alleged in the FIR that despite petitioner's electricity connection being disconnected due to an outstanding bill of Rs.1,34,582/- (Rupees One Lakh Thirty Four Thousand Five Hundred Eighty Two), he was illegally drawing power by hooking a PVC wire to the main line. This



unauthorized consumption amounted to a theft of 7460 watts of domestic electricity, causing a revenue loss of Rs.3,50,199/- (Rupees Three Lakhs Fifty Thousand One Hundred Ninety Nine) to the South Bihar Power Distribution Co. Ltd. Therefore, a sum of Rs.4,84,781/- (Rupees Four Lakhs Eighty Four Thousand Seven Hundred Eighty One) is to be recovered from the petitioner under section 135 of the Electricity Act, 2003 which includes an outstanding amount of Rs.1,34,582/- and a fine of Rs. 3,50,199/-. The said amount also includes the compounding fee. Then, the PVC wire was seized and present case has been lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner has falsely been implicated in this case. Counsel submits that the alleged inspection was done and after delay of two days, the present FIR was lodged. Counsel submits that the petitioner is a bonafide consumer and he was not found in any unauthorized tapping of electricity as there is no direct evidence against him and the present FIR has been lodged with malafide intention. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for



bail of the petitioner and submits that as per the FIR, there is direct and specific allegation against the present petitioner. Counsel submits that in the rejection order, it has been acknowledged that the informant and witnesses have supported the prosecution case as alleged in the case diary and inspection/seizure report of the case also supports and corroborates the alleged offence and as per para 24 of the case diary, this case appears to be true against the petitioner under section 135 of the Electricity Act, 2003.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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