

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11274 of 2024**

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Baby Rani @ Bebi Rani W/o Bijay Kumar @ Vijay Kumar Vimal, Resident  
of Village - Piprahi, Ward No. 05, P.S. Gamhariya, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Energy Department,  
Govt. of Bihar, Patna.
2. The Bihar State Power Holding Company Limited, through its Chairman  
cum Managing Director Vidyut Bhawan, Bailey Road, Patna.
3. The Chief Engineer Bihar State Power Distribution Company Limited,  
Vidyut Bhawan, Bailey Road, Patna.
4. The District Magistrate/Collector District - Madhepura.
5. The Electric Superintending Engineer, North Bihar State Power Distribution  
Company Limited Madhepura.
6. The Electrical Executive Engineer, Electric Supply Division Madhepura,  
District - Madhepura.
7. The Assistant Electrical Engineer, Electric Supply Division, Singheshwar,  
District - Madhepura.
8. The Junior Engineer, Electric Supply Division, Singheshwar, District -  
Madhepura.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|-----------------------------------------|
| For the Petitioner/s | : | Mr. Nafisuzzoha, Adv.                   |
| For NBPDCCL          | : | Mr. Kumar Priya Ranjan, Adv.            |
|                      | : | Mr. Sandeep Kumar, Adv.                 |
|                      | : | Mr. Sudarshan Bharadwaj, Adv.           |
| For the Respondent/s | : | Mr. Madhav Yadav, Government Pleader 23 |
|                      | : | Mr. Arvind Kumar, AC to GP23            |

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**CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY**  
**ORAL ORDER**

4      22-01-2025                      Heard the learned counsel for the parties.

The present writ petition has been filed for the  
following reliefs:-

*“a. For issuance of an appropriate  
writ / writs / order / orders / direction / directions  
including a writ preferably in the nature of  
Mandamus commanding and directing upon the  
respondent No. 4 to 8 to give new for which she is*



*entitle because she has applied for the connection through request No. 52135557404 whereas the respondents authority arbitrarily and malafidely did not provide the New connection in the small domestic house of the petitioner and electricity connection is fundamental right, it can not be over emphasized that electricity being a basic necessity Which is integral part of right to life as enshrined under Article 21 of the constitutional of India.*

*b. For grant of any relief or reliefs for which the petitioner may be deem entitle.”*

3. Learned counsel for the petitioner has stated that though the petitioner has made an application for new electricity connection, the authorities are denying the same. Learned counsel has made an application on 28.08.2021 but till date no electricity connection has been given to the petitioner.

4. In the counter-affidavit filed by the respondents, it is specifically stated that the petitioner was indulged in theft of electricity by direct hooking to main LT line of respondent-Corporation and that a case under Section 135 of Indian Electricity Act, 2003 has been filed against the petitioner. That the total value of the theft was Rs. 3,80,717/- under Section 126 of the Indian Electricity Act, 2003 and in case the petitioner requires a fresh electricity connection then the above said amount has to be paid in full then the only the application of the petitioner will be considered. Further, it is stated that the final assessment has been made and served on the co-accused.

5. Having regard to the above mentioned facts and



circumstances, the petitioner is directed to pay 50% of the amount of Rs. 3,80,717/- along with the new application and approach the Special Court under Section 153 of the Electricity Act, 2003. Any amount paid shall be subject to the final decision of the Special Court. The petitioner shall approach the Special Court within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the present writ petition stands disposed of.

**(A. Abhishek Reddy, J)**

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