

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58241 of 2025

Arising Out of PS. Case No.-70 Year-2025 Thana- TATARPUR District- Bhagalpur

1. Amjat Khan @ Md. Amjad @ Md. Arshad Ali @ Arshad S/O Md. Sikandar Ali @ Sikandar Ali @ Md. Sikandar Resident of Mohalla- Baraichak, Near Pani Tanki, P.S- Tatarpur, Dist.- Bhagalpur.
2. Tinku Sultan @ Tipu Sultan @ Faiyaz Ali @ Sultan @ Faizan Ali S/O Md. Sikandar Ali @ Sikandar Ali @ Md. Sikandar Resident of Mohalla- Baraichak, Near Pani Tanki, P.S- Tatarpur, Dist.- Bhagalpur.
3. Saiyad Ali @ Md. Saiyad Ali S/O Late Shoukat Ali Resident of Mohalla- Baraichak, Near Pani Tanki, P.S- Tatarpur, Dist.- Bhagalpur.
4. Sajauli S/O Md. Amanulla Resident of Mohalla- Baraichak, Near Pani Tanki, P.S- Tatarpur, Dist.- Bhagalpur.
5. Md. Sikandar Ali @ Sikandar Ali @ Md. Sikandar S/O Late Shoukat Ali Resident of Mohalla- Baraichak, Near Pani Tanki, P.S- Tatarpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Managing Director, South Bihar Power Distribution Company Limited, Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Advocate Mr. Kamlesh Kumar Pathak, Advocate
For the State	:	Mr. Rajendra Nath Jha, A.P.P.
For the O.P. No. 2	:	Mr. Ajay Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 22-09-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the South Bihar Power Distribution Company Limited.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 189(2), 190, 191(2), 121(2), 115(2), 109(1), 126(2), 127(2), 132 and 351(2) of the BNS as well as Section 135 of the Electricity Act,



2003.

3. Learned counsel appearing on behalf of the petitioners submits that petitioners no. 2, 3 and 5 are persons with clean antecedent and petitioners no. 1 and 4 have antecedent of one case and the informant alleges that on 14.06.2025 a raid was conducted against the electricity theft, accordingly, a team was constituted and the informant along with the team at 02:00 p.m. conducted the inspection of the residential premises of Zina Khatoon and it was found that Zina Khatoon and Sikandar Ali had tampered the electricity meter by bypassing it. It is further alleged that the loss, which was assessed to South Bihar Power Distribution Company Limited, was assessed at Rs.2,67,460/-. It is next alleged that the officials were assaulted by the accused persons.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant being the family members of Zina Khatoon. It is further submitted that petitioner no. 4 is not related to Zina Khatoon and Sikandar Ali but then is neighbour and he has also been implicated in the instant case alleging that they assaulted. It is next submitted that petitioners no. 1 and 2 are sons of Zina Khatoon and petitioner no. 5. It is also submitted that petitioners



vehemently dispute the allegation of theft but then an amount of Rs.1 lakh has been deposited with the South Bihar Power Distribution Company Limited in support whereof money receipt is annexed as Annexure 2/A to the supplementary affidavit.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the South Bihar Power Distribution Company Limited opposed the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Tatarpur P.S. Case No. 70 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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