

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89751 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- Madhusudanpur District- Bhagalpur

Syed Tarique Azim, Male, aged about 40 years son of Late Syed Azim Uddin,
Resident of Shahnagar, Kabirpur, Police Station - Madhusudanpur, District -
Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Junior Electrical Engineer Electricity Supply Dept. Aliganj, Bhagalpur
- Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate
For the O.P. No. 2	:	Mr. Shrekant Sharan Singh, Advocate
For the State	:	Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 02-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned counsel for the respondents.

2. The petitioner seeks pre-arrest bail in connection
with Madhusudanpur P.S. Case No. 76 of 2024 registered for the
offence(s) punishable under Section 135 of the Electricity Act.

3. As per the allegation made in the FIR, due to theft
of electricity by the petitioner, the South Bihar Power
Distribution Company Limited has suffered a loss of
Rs.3,10,509/-.

4. Learned counsel appearing on behalf of the
petitioner submitted that FIR has been lodged to pressurize the
petitioner to deposit the alleged amount of money of Rs.
3,10,509/- on account of loss caused to the South Bihar Power



Distribution Company Limited. The offence is compoundable under Section 152 of the Electricity Act, 2003.

5. Mr. Shrekant Sharan Singh, learned counsel appearing on behalf of the South Bihar Power Distribution Company Limited submitted that the petitioner doesn't deserve to be released on pre-arrest bail having caused total loss of Rs. 3,10,509/- to the company. Learned APP for the State has also vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the offence being compoundable, the petitioner may approach the designated forum for availing the remedy as contained under Section 152 of the Electricity Act, within a period of three weeks. Till then no coercive steps shall be taken against the petitioner in connection with the aforesaid case.

7. In case of failure on behalf of the petitioner, the interim protection granted to the petitioner shall automatically lose its force.

8. The matter is remitted to the learned District Court to pass order on the basis of the information received from the petitioner. In case the petitioner furnishes the acknowledgment of compounding, then the learned District Court may proceed to pass order in accordance with law.



9. The bail application stands disposed of.

(Purnendu Singh, J)

Niraj/-

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