

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24474 of 2026

Arising Out of PS. Case No.-54 Year-2025 Thana- KHIJARSARAI District- Gaya

Kaushlendra Kumar Son of Madan Sharma R/o Village - Naudiha, P.S. -
Khizarsarai, Dist. - Gaya. Petitioner/s

Versus

1. The State of Bihar
2. Assitant Electrical Engineer, Electric Supply Division, South Bihar Power
Distribution Company Khizarsarai, Dist. - Gaya. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
: Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP
For the SBPDCL : Mr. Vivek Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 16-04-2026 Heard the learned senior counsel for the petitioner, the

learned counsel for the South Bihar Power Distribution Company
Limited and the learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Khizasarai P.S. Case No. 54 of 2025, for allegedly having
committed offence under Section 135 of the Electricity Act, 2003.

3. As per the prosecution story, which has been lodged
on the basis of written report submitted by the Assistant Electrical
Engineer, Electric Supply Division, Khizarsarai to the effect that
while the raiding team reached near the place of occurrence, they
found the petitioner using illegal electricity by bypassing the meter
through additional PVC wire, which caused loss to the tune of Rs.
7,66,400/- to the South Bihar Power Distribution Company Limited.

4. The learned senior counsel for the petitioner submits



that the petitioner has not committed any offence and the present first information report has been lodged by the informant only on the basis of suspicion and on the complaint made by some persons who were opposed to the construction of the Government Degree College. Petitioner has not committed any offence related to power theft. The petitioner has also been made accused in Khizarsarai P.S. Case no. 13 of 2026, which has been lodged under Section 135 of the Electricity Act. The learned senior counsel for the petitioner submits that the petitioner is ready to deposit Rs. 4,00,000/- within two months.

5. The learned counsel for the South Bihar Power Distribution Company Limited submits that the petitioner is a habitual offender and is in the habit of committing same type of occurrence.

6. Having heard the rival submissions and after going through the record, it appears that the power company as per the assessment has quantified the loss to the tune of Rs. 7,66,400/- and the petitioner is ready to deposit Rs. 4,00,000/- in the concerned office of the South Bihar Power Distribution Company Limited at Khizarsarai within a period of four weeks. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Electricity, Magadh Area, Gaya in connection with



Khizarsarai P.S. Case No. 54 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(2) If the aforementioned amount will not be deposited within a period of four weeks, the learned Court concerned i.e. the learned Court of Special Judge, Electricity, Magadh Area, Gaya will proceed to cancel the bail bond of the petitioner.

(Ritesh Kumar, J)

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