

In the Court of District & Additional Sessions Judge-I
Presiding Officer: Dushyant Kumar
Rosera , District-Samastipur
A.B.P. No. 38C of 2026
(Arising out of Singhiya P.S. Case No. 168 of 2024)
Date: 19.06.2026

Pawan Mukhiya

.....Accused/Petitioner.

vs.

State of Bihar.

.....Prosecution/O.P.

ORDER

1. The present petition has been filed by the accused petitioner, namely, Pawan Mukhiya seeking anticipatory bail apprehending his arrest in connection with Singhiya P.S. Case No. 168 of 2024, registered under Section 135 of Electricity Act.
2. Briefly stated, the case of the prosecution based upon the written application of the informant, namely, Sanjeet Kumar Kappar, who happens to be the Assitt. Electrical Engineer, Electric Supply Division, Bibhutipur is that on 10.09.2024 at about 13.30 O'clock informant and her associates conducted raid in the house of the petitioner and found petitioner has committed theft of electric current from L.T. Line. Due to this act of petitioner, North Bihar Power Distribution company has suffered loss sum of Rs.1,74, 052/- (rupees one Lakh Seventy four thousand fifty-two only).
3. Ld. Counsel for the petitioner argued that the petitioner is quite innocent and has committed no offence. No anticipatory bail petition has been filed or pending in this Ld. Court or before Ld Principal & District and Sessions Court, Samastipur or in the circuit Court Rosera or before Hon'ble High Court nor such petition is pending in any Court. Petitioner has no criminal antecedent. Learned Counsel for the petitioner further argued that the allegations brought against the petitioner are totally false and baseless. Learned Counsel for the petitioner further argued that the FIR has been registered U/s 135 of Electricity Act which is not attracted against the petitioner. Learned Counsel for the petitioner further argued that there is no chance of absconding and tempering with the evidence by this petitioner and prayed that the petitioners may be released on anticipatory bail.
4. On the other hand Ld. APP. on behalf of state opposed the prayer for bail.
5. Perusal of the records reveals that the present case has been instituted against the accused petitioner, under Sections 135 of Electricity act on the allegation that he has committed theft of electric current from L.T. Line, due to this act of petitioner, North Bihar Power Distribution company has suffered loss sum of Rs.1,74, 052/- (rupees one Lakh Seventy four thousand fifty-two only). Perusal of record reveals that investigation is complete and chargesheet has been filed against the petitioner under Section 135 of the Electricity Act. Furthermore, the petitioner has been released under Section 35 of the Electricity Act. Thus custody of the petitioner was not sought during the investigation and nothing has been shown by the prosecution to justify the detention of accused during trial.
6. Considering the above facts and circumstances of the case and taking into account the fact that similarly situated co-accused have been granted anticipatory bail, and further taking into account the fact that investigation is complete and chargesheet has been filed giving the benefit of Section 35 of the BNSS, it appears that it would be appropriate to grant the the privilege of anticipatory petitioner bail.

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7. Accordingly, the petitioner, namely, Pawan Mukhiya, is directed to be released on bail in the event of his arrest or surrender before the Court within six weeks from today on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount in connection each to the satisfaction of the Court of Learned Magistrate concerned in connection with Singhiya P.S. Case No. 168 of 2024 subject to furnishing of undertaking compliance regarding the conditions mentioned in Section 482(2) of BNSS.

Dictated

District & Additional Sessions Judge -1
Rosera, Samastipur