

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE- II, BHAGALPUR.
Anticipatory Bail Application No. 1538/2024

Page-1

Balram Kedia, Son of Late Atmaram Kedia, R/o Mohalla Golden Ice Cream Factory,
Kajwalichak, P.S. Tarapur, District- Bhagalpur.....**Petitioner**

Versus

The State of Bihar.....**Respondent.**

Appearance:

For the Petitioner: Mr. Lav Chand Kothari, Ld. Advocate.

For the State: Mr. Abjay Kumar Singh, Ld. A.P.P.

Date of Order	Order with Signature of the Court
1	2
23.07.2024	This application for anticipatory bail u/s 438 of the Code of Criminal Procedure, 1973 filed on behalf of above named petitioner who apprehends his arrest in connection with Tatarpur P.S. Case No. 275/23 for the offence punishable u/s 135 Bihar Electricity Act, 2003. On behalf of petitioner a certificate has been given at para 2 of the bail petition that earlier no anticipatory or regular bail petition has been filed on behalf of the petitioner either before Sessions Judge, Bhagalpur or before Hon'ble High Court Patna. Heard, the learned counsel for the petitioner and the learned A.P.P. for the State. The present case has been registered against the petitioner u/s 135 Bihar Electricity Act on the basis of written application submitted by Junior Electrical Engineer, Electricity Supply Branch, Nayabazar of SBPDCL in which it is alleged that on 20.10.2023 when at about 09:50 hrs. the informant raided the residential compound of the petitioner and found that informant had been using unauthorized electricity by connecting the wire and unauthorized electricity value of Rs. 3,75, 354/- is consumed by the petitioner which is the loss to the aforesaid distribution company. Further, alleged that Consumer No. 23360039324 is the name of Kiran Devi, who is the mother of petitioner. Further, alleged that the present person Sunil Sharma has taken unauthorized connection from the premises of Sanjeev Kumar Singh by crossing road in the premises of Balram Kedia. The Ld. counsel for the petitioner argued that the petitioner is innocent and has not

23.07.2024	committed any offence and he has been falsely implicated in this case. It was further argued that there is dues of Rs. 270348/- against the used electric energy in the name of Kiran Devi, the Kiran Devi is liable to pay the previous dues and Rs. 1,06,008/- for illegal use of energy total amount Rs. 375354/- is payable by Kiran Devi . Further, submits that petitioner has got no concern in any way with the premises of Kiran Devi. Further, submits that petitioner has been separately residing with his family member at Mohalla Kajawalichak, P.S. Tatarpur, District Bhagalpur and there is partition among the family members. It was further argued that the petitioner has no criminal antecedent, hence he deserves anticipatory bail. On the other hand, the Ld. A.P.P opposed the prayer for anticipatory bail of the petitioner. From perused the case record it transpires that when police was raided the house of accused-petitioner found that one Sunil Sharma was using electricity illegally and meter wires & grinder machine were seized by the police. It is admitted fact that electric connection belongs to one Kiran Devi, who is the mother of present petitioner. Ld. Counsel for the petitioner submitted that he has no concerned with his mother and also submitted that he has no concerned with Sunil Sharma. But from FIR and case diary it is apparent that electricity was being stolen in the premises of Kiran Devi, who is the mother of accused petitioner. Considering the aforesaid facts and circumstances, the anticipatory bail petition of the petitioner is allowed and the petitioner shall be released on bail at the event of arrest or surrender before the Ld. Magistrate on furnishing the bail bond of Rs. 25,000/- with two sureties of like amount each to the satisfaction of the court. Sd/- Additional District & Sessions Judge II Bhagalpur.