


IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
BULDHANA

(Presided over by **Shaikh Akbar Shaikh Jafar**)

MHBU010002052026 	Anticipatory Bail Application No. 33/2026 Sunil Shankar Akhade ..Versus.. The State of Maharashtra
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ORDER BELOW EXH.1

(Passed on this 2nd day of April 2026)

1] This bail application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita for release of applicant/accused on anticipatory bail.

2] As per the F.I.R., informant is claiming that on 12.2.2025, flying squad of MSEB Department has conducted raid and visited at the house of applicant at about 14.00 hours, they found that applicant is committing electricity theft and as per their calculation, applicant has committed theft of Rs.1,25,546/-. On the basis of complaint lodged by informant, Crime No.229/2025 for the offence punishable under Section 135 of the Indian Electricity Act came to be registered against applicant.

3] It is the contention of applicant/accused that he is no way concerned with the alleged offence. He is falsely implicated in the present crime. Informant has lodged false report against him. He is innocent. He has not committed any offence. However, due to

registration of offence, he is having apprehension of his arrest. Considering the allegations, custodial interrogation of applicant is not necessary. He is ready to abide by the conditions if released on bail. Hence, prayed to grant anticipatory bail.

4] Learned APP Smt.Saoji-Despande resisted the application by filing reply Exh.11 and contended that offence is about theft. Offence is made out against the applicant which is serious. Investigation is in progress. If the applicant/accused is granted anticipatory bail, he may tamper with the prosecution evidence and may commit similar type of offence. Lastly, prayed to reject the bail application.

5] Informant opposed the bail application by filing reply at Exh.9 reiterating the allegations made in F.I.R. It is submitted that if the applicant/accused is granted anticipatory bail, he may pressurize prosecution witnesses. Lastly, informant prayed to reject the bail application.

6] Heard rival parties at length. Perused the copy of FIR. It reveals that on 12.2.2025, flying squad of MSEB Department has conducted raid and visited at the house of applicant at about 14.00 hours, they found that applicant is committing electricity theft and as per their calculation, applicant has committed theft of Rs.1,25,546/-. However, FIR discloses that complaint is lodged on 5.3.2025 after delay of 22 days in lodging complaint. No reason is assigned as to why complaint is lodged after such delay. It is contention of the learned

Counsel of applicant that they are having no knowledge of conducting raid by flying squad or filing FIR. They came to know when police machinery has called them and informed that FIR is lodged against them. They are ready to co-operate with police machinery, but they are avoiding to proceed with in accordance with law. Considering the factual position that there is delay in filing FIR, apprehension on the part of applicant is justifiable. Ad-interim anticipatory bail is already granted to the applicant. There is no incident that he has misused the bail. As such, according to me, interim protection granted to the applicant needs to be confirmed. Hence, I pass the following order;

ORDER

- 1] Application is allowed.
- 2] Interim order passed below Exh.4 on 13.2.2026 is hereby confirmed on the same terms and conditions.

Buldhana
Date: 2.4.2026

(Shaikh Akbar Shaikh Jafar)
Additional Sessions Judge,
Buldhana