

In the Court of Additional Sessions Judge, Wardha.

Special Case No.85/2025
(CNR:MHWR010017012025)

State of Maharashtra
..V/s..
Nilesh Shankarrao Misal

Order below Exh.3
(Passed on 11th March, 2026)

The present application has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking bail in connection with Crime No.2221/2024 registered at Police Station Wardha (City) for the offence punishable under Section 135 of the Indian Electricity Act.

2] According to the applicant, he has not committed the alleged offence and the charge-sheet has already been filed. The accused is a permanent resident of Wardha and he has small children to look after. Therefore, he may be released on bail.

3] The application is strongly opposed by the Investigating Officer by filing a say on the overleaf of the bail application. It is contended that a prima facie case is made out against the accused. It is further contended that this is the second offence committed by the accused and therefore he should not be released on bail. Hence, the application deserves to be rejected.

4] I have perused the application, the say filed by the Investigating Officer and the charge-sheet papers. I have heard the learned Advocate for the accused as well as the learned A.P.P. for the State.

5] It appears from the charge-sheet that on 05.09.2024, when the Maharashtra State Electricity Distribution Company Limited conducted a raid, it was found that the accused was involved in theft of electricity by attaching a hook to the electric wire and thereby committing theft of electricity. The assessment made by the department was 1838 units amounting to ₹46,060/-, which was not paid by the applicant. Thereafter, the charge-sheet came to be filed against him.

6] The learned A.P.P. opposed the bail application on the ground that this is the second offence committed by the accused and that the offence is punishable with imprisonment up to five years. However, the fact remains that the trial will take its own time and the punishment prescribed is not more than five years. Therefore, no useful purpose would be served by keeping the accused in jail. Hence, I proceed to pass the following order.

Order

- (i) The Criminal Bail Application (Exh.3) is hereby allowed.
- (ii) The accused Nilesh Shankarrao Misal shall be released on bail upon furnishing a Personal Bond of ₹25,000/- (Rupees Twenty-Five Thousand only) with one solvent surety in the like amount in Crime No.2221/2024 registered with Police Station Wardha (City) for the offence punishable under Section 135 of the Indian Electricity Act.
- (iii) The accused is directed not to enter within the limits of Wardha District till final disposal of this case, except for attending the dates fixed during the trial before this Court.

- (iv) The accused shall not tamper with the evidence of the prosecution and shall not allure or threaten the prosecution witnesses.
- (v) The Criminal Bail Application stands disposed of accordingly.

Date: 11/03/2026

(S.A.S.M. Ali)
Additional Sessions Judge,
Wardha.

C E R T I F I C A T E

I affirm that the contents of this P.D.F. file are the same word to word, as per the assigned order.

(Madhav A. Chaudhari)
Stenographer