

ITEM NO.42

COURT NO.2

SECTION IIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 4964/2014

(Arising out of impugned final judgment and order dated 30/10/2013
in CRLMP No. 30316/2013 passed by the High Court Of Patna)

JAWAHAR PRASAD SINGH

Petitioner(s)

VERSUS

STATE OF BIHAR & ANR

Respondent(s)

(with appln. (s) for stay of arrest and office report)

Date : 27/02/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Petitioner(s) Mr. Kundan Kumar Mishra,Adv.
Ms. Himadvi Mukherjee, Adv.
Mr. Mohit Kumar Shah,Adv.

For Respondent(s) Mr.Rudreshwar Singh, Adv.
Mr. Samir Ali Khan,Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed
order.

(Shashi Sareen)
Court Master

(Veena Khera)
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 405 OF 2015
(Arising out of SLP(Crl.) No. 4964 of 2014)

JAWAHAR PRASAD SINGH @ JAWAHAR PRASAD ... Appellant(s)

Versus

STATE OF BIHAR AND ANR. ... Respondent(s)

O R D E R

Leave granted.

The appellant is being prosecuted for theft of electricity punishable under Section 135 of The Electricity Act, 2003. He appears to have applied to the High Court for protection against arrest in connection with the said case which prayer the High Court declined in terms of its order dated 30.10.2003. In the present appeal challenging the said order, we had on 07.07.2014 directed the appellant to deposit a sum of Rs.60,000/- which works out to be 50% of the loss allegedly caused by him, while granting to the appellant protection against arrest. We are told that the appellant has deposited the said amount.

In that view we see no reason why the grant of protection should not be continued pending disposal of the

criminal case launched against him.

We accordingly direct that the appellant shall stand released on bail on his furnishing bail bonds to the satisfaction of the Trial Court. We make it clear that this order or the pendency of the criminal case shall not prevent the respondents from recovering the outstanding amount towards electricity charges, penalty, loss etc. in accordance with the provisions of the Act.

.....J.
(T.S.THAKUR)

.....J.
(ADARSH KUMAR GOEL)

New Delhi,
February 27, 2015