

GAHC010153332024



2024:GAU-AS:8040

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : AB/1997/2024

BIREN TERON
S/O LATE BURA TERON
PERMANENT RESIDENT OF
VILL- TENGRANGLANGSO, HABE HANSE GAON, BAITHALANGSO,
PIN CODE- 782450
P.O. BAITHALANGSO
DIST. WEST KARBI ANGLONG, ASSAM,
PRESENTLY RESIDING AT
KHERONI, APDCL COLONY,
P.O. KHERONI
P.S. KHERONI
PIN CODE- 782480,
DIST. WEST KARBI ANGLONG, ASSAM

VERSUS

THE STATE OF ASSAM
REP BY THE PP, ASSAM

Advocate for the Petitioner : MR. M P CHOUDHURY, MR. S BATHARI

Advocate for the Respondent : PP, ASSAM,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

16.08.2024

Heard Mr. M.P. Choudhury, the learned counsel appearing for the petitioner. Also heard Mr. K.K. Parasar, the learned Addl. Public Prosecutor, Assam.

2. This is an application under Section 482 of the BNSS, 2023 praying for grant of pre-arrest bail in connection with Kheroni P.S. Case No.40/2024, registered under Sections 304/304A/34 of the Indian Penal Code.

3. Because of storm, one tree fell upon electrical wires, which went over the land of the informant. Because of fell of the tree, the electrical line was snapped. The APDCL had immediately disconnected the electricity connections. The informant had called APDCL officials, but he was advised to remove the tree and they had promised that the electricity connection shall not be restored to those wires. Even then, somebody connected the electricity to those wires. As a result of which, on 26.06.2024, the 63 years old father of the informant got electrocuted, and subsequently he died.

4. From the case diary, it is found that it could not be ascertained as to who had negligently restored the electricity supply to those snapped wires. The investigation is still going on to that effect.

5. Considering the nature of the offence, this Court is of the opinion that the petitioner does not deserve to be detained in custody. Therefore, his pre-arrest bail application is allowed.

6. It is hereby directed that in the event of arrest in connection with Kheroni P.S. Case No.40/2024, registered under Sections 304/304A/34 of the Indian Penal Code, the petitioner namely- Sri Biren Teron shall be released on bail of ₹25,000/- with a surety of like amount to the satisfaction of the arresting authority. He is directed to appear before the Investigating Police Officer within next 10(ten) days from today.

With the aforesaid direction, the application for bail is disposed of accordingly.

Return the case diary.

JUDGE

Comparing Assistant