

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35377 of 2015

Arising Out of PS.Case No. -28 Year- 2014 Thana -SUPAUL District- SUPAUL

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1. Subodh Kumar Roy S/o- Ram Anuj Roy, R/o Village- Gangahara Rampur, P.S.- Maner, District- Patna presently posted as the Executive Engineer at Madhepura in the Department of District Urban Development, Government of Bihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-08-2015 Heard learned counsels for the petitioner and the State.

The petitioner being Executive Engineer in the Urban Development Department is apprehending arrest in a case registered for the offences punishable under Sections 304 of the Indian Penal Code.

The prosecution case is that a ditch was created while construction of the drainage in which minor grand niece of the informant aged about five years got drowned.

It is submitted by the learned counsel for the petitioner that the work of construction of drainage was being done by the contractor and the victim fell in the ditch due to negligence on the part of her guardian. More over, even assuming the accusation

case under section 299 IPC is made out. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Supaul in connection with Supaul P.S. Case No.28 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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