

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14796 of 2015

Arising Out of PS.Case No. -265 Year- 2014 Thana -HISUA District- NAWADA

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Madan Prasad Singh @ Madan P. Singh @ Madan Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Prem Kumar Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-04-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 287 and 304 of the Indian Penal Code.

It is alleged that the petitioner being the contractor in the electricity department hired the son of the informant to get the electric work done but he was electrocuted due to gross negligence of the petitioner.

It is submitted by learned counsel for the petitioner that the son of the informant was hired by the electricity department as letter of Executive Engineer as contained in Annexure-2 suggests that 11 persons were attached with the petitioner for doing electrical work. The son of the petitioner started making electrical repair after disconnection of electrical supply but the same was

restored in the midst as a result the son of the informant got electrocuted. It is further submitted that even assuming the accusation levelled in the FIR, no offence under Section 304 IPC is made out. A statement has been made in para 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawada in connection with Hisua P.S. Case No. 265 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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