

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33209 of 2014

Arising Out of Turkauliya PS.Case No.14/14, Year- 2014, Thana
–TURKAULIYA, District- EASTCHAMPARAN(MOTIHARI)

- =====
1. Jitendra Singh, S/o Ashok Singh, r/o vill. English, P.S. Paharpur, Dist.
East Champaran
 2. Nawal Singh, s/o late Amar Singh, r/o. vill. Hardiyabad, P.S. Pipra,
Dist. East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Ram Bachan Singh(App)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

2 04-02-2015 This is an application made under Section 438 Cr.P.C.

seeking pre-arrest bail by the petitioners, namely, 1. Jitendra Singh
and 2. Nawal Singh, in connection with Turkauliya P.S.Case No.
14/2014, under Sections 302/120B/34 of the IPC.

Perused the above application and materials on record
including a copy of the order, dated 30.06.2014, passed, in
A.B.P.No. 179/2014, by the learned Sessions Judge, East
Champaran, Motihari, rejecting the said application for pre-arrest
bail..

Heard Mr. K.N.Singh, learned counsel for the petitioners,
and Mr. R.B.Singh, learned APP, appearing for the State.

From perusal of the materials available on record, this

Court finds considerable force made on behalf of the petitioners that the death of the informant's son was due to electrocution which was accidental and there is no material to show that he was intentionally or knowingly electrocuted.

Situated thus, this Court is of the view that no case under Section 302 IPC has been made out against the petitioner and the petitioner is entitled to the benefit of pre-arrest bail.

Considering, therefore, the matter in its entirety and in the interest of justice, it is hereby directed that the petitioners above-named shall, in the event of their arrest/surrender in connection with the case aforementioned, be released on bail of Rs. 10,000/-, with two sureties, each of the like amount, subject to the satisfaction of the Officer-In-Charge, Turkauliya Police Station. This direction for bail is further subject to the condition that the petitioners above-named shall, within two weeks from today, appear before the Officer-in-Charge, Turkauliya Police Station, and make themselves available for interrogation by police at all reasonable time and shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

This bail application shall stand disposed of in terms of

the above observations and directions.

Let a copy of this order be sent, forthwith, to the Officer-in-Charge, Turkauliya Police Station, East Champaran, Motihari.

Send also a copy of this order, forthwith, to the Superintendent of Police, East Champaran, Motihari by fax.

(I. A. Ansari, J)

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