

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32543 of 2015

Arising Out of PS.Case No. -108 Year- 2015 Thana -KANTI District- MUZAFFARPUR

Subodh Sah, S/o Late Badri Sah, Resident of Village- Chapra Manorath,
P.S. Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey, Advocate

For the Opposite Party/s : Smt. Pushpa Sinha- 2(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 03-11-2015 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Kanti P.S. Case No.108 of 2015 for allegedly having
committed the offence under Section 304 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
allegation against the petitioner is that he had utilized illegal
device to draw electricity to the School premises and on account
of such illegal and negligent act, the child of the informant was
electrocuted. Learned counsel for the petitioner, however,
submitted that if at all any offence is made out against the
petitioner, the present situation, which led to such an

occurrence, was not deliberate and/or intentional.

Learned counsel for the State, while referring to the case diary, submits that the offence as alleged is made out as the petitioner had indulged in an illegal act.

However, considering the entire facts and circumstances and the nature of allegations made against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, (West) Muzaffarpur, in connection with Kanti P.S. Case No.108 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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