

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40633 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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1. Sanjeev Kumar S/o Sri Shiv Nandan Prasad Singh resident of village
Pokhraise, P.S. Samastipur (Muffasil), District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh

For the Opposite Party/s : Mr. Shailendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 09-11-2015 Heard both sides.

The petitioner apprehends his arrest in Samastipur
Muffassil P.S. Case No. 06/2015, registered for the offences
punishable under Section 304 of the Indian Penal Code.

The informant alleged that Santosh Kumar, Sanjeev
Kumar, the petitioner and Santosh Kumar, Junior Engineer took
his son Pappu Paswan for repairing of electric line. The son of the
informant climbed on the pole, but in the meantime, the petitioner
and others switched on and electric current passed through. The
son of the informant got electrocution and died on the spot.

It is submitted that petitioner is a labour and he was
posted at Bishanpur. Santosh Kumar has taken the franchise.

Panchayati was held and compensation was given to the father of the deceased, but even then the case has been lodged, but it appears that there is allegation against the petitioner that petitioner and others took the son of the informant for repairing electric line and when his son climbed on the pole electric current passed through and son of the informant died due to electrocution.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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