

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39579 of 2015

Arising out of PS.Case No. -50 Year- 2009 Thana -NANHPUR District- SITAMARHI

Jaikant Jha @ Vijay Kant Jha, Son of Late Digambar Jha, resident of Village - sakhwar, P.S. - Manigachhi, District - Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Uday Kumar, Advocate.

For the Opposite Party : Mr. Anuj Kr.Srivastav(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is apprehending his arrest in connection with Nanpur P.S. Case No. 50 of 2009 for the offences instituted under Section 304 of the IPC.

The prosecution story, in brief, is that on the date of occurrence at about 2.00 P.M., the informant alongwith 50-60 passengers were travelling in a bus, and as the bus reached in village-Koili, suddenly, the bus came in contact with wire of 11000 volt power of electricity which has fallen down. It is further alleged that the informant alongwith other passengers, jumped from the bus, but 16 passengers who got down from the bus from the main gate, came in contact of the electricity wire and died. One Sajda Khatoon of village of the informant also died due to

electric shock. It is further alleged that the incident took place due to negligence of driver of the bus bearing Registration No. BR-06P-8814, contractor of State High Way as well as the employees and Engineers of the Electricity Department.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that present case is for the offence under Section 304 of the IPC. It is the case of accidental death. The petitioner is retired Ex-serviceman. Petitioner is not named in the F.I.R.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R. His name has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Nanpur P.S. Case No. 50/2009 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Pupari, Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)