

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50269 of 2015

Arising Out of PS.Case No. -40 Year- 2014 Thana -PURUSHOTTAMPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Kamlesh Sah @ Kamlesh Kumar Son of Chhatu Sah Resident of Village
- Gobra Belwa, P.S. Sanichari, District - West Champaran, Bettiah

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Dilbar Krishna

For the Opposite Party/s : Mr. Madhuri Lata(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 09-11-2015 Heard the Counsel for the petitioner and Mr. Dayal, APP for
the State.

Apprehending his arrest in connection with Purushottampur
P.S. Case No. 40 of 2014 registered under sections 302, 120(B)/34
of the Indian Penal Code, the present application has been filed for
anticipatory bail.

The petitioner is employee of the Electricity Department. It
is alleged that, on instruction of other accused persons, the electric
supply was shut down, obviously for certain repair works.
Subsequently, the supply was restored by the accused persons
quite negligently which resulted in the death of the husband of the
petitioner. It is submitted that police in the light of allegation
found the case true under Section 304A of the Indian Penal Code.
Another co-accused of this case namely Sanjay Kumar has been

released on anticipatory bail by this Court vide order dated 15.6.2015 (Annexure-2).

Considering the above, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in Purushottampur P.S. Case No. 40 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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