

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.873 of 2015

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1. Ajay Kumar Singh, Son of Late Sahdeo Prasad Singh, resident of Village - Naromurar (Mafi) P.S.- Warisaliganj District - Nawada.
 2. Subhrath Kumar @ Subret Kumar, Son of Mritunjay Kumar, resident of Village - Jairampur, P.S.- Bihpur District - Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Harsh Anuj, Advocate.

For the Opposite Party : Mr. Arun Kumar Singh 5 (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-05-2015 The petitioners are apprehending their arrest in connection with Jagdishpur (Goradih) P.S. Case No. 51 of 2010 for the offences instituted under Sections 324, 326 and 307/34 of the Indian Penal Code.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that the informant's nephew, Md. Munna @ Minaz, his wife Gulsan and daughter Kajal were standing on the road. In the meantime, electric wire of 11000 volts which was connected to the Airtel and Voda Phone Tower melted and dropped on their body. At that very moment, Mostt. Amina, aged about 60 years, has come from attending her natural call she also came into contact with the electric wire due to this, all were seriously injured and with the help of villagers, they

were taken to Bhagalpur for treatment. It was also alleged that the connection of electric wire without permission for concerned Department and Nasim and Harkesh Bahadur Yadav were responsible for the said occurrence

It has been submitted on behalf of the petitioners that from perusal of the F.I.R., it appears that due to accident, the victims had sustained injury. From F.I.R., no where it has come that out of any intention, the alleged incident is said to have taken place. It has further been pointed out that the incident as per the F.I.R. itself is said to have taken place due to melted of wire which belonged to the Electricity Board. It has further been submitted that the petitioners are the employees of the company who had done the job for electrification of electric works on behalf of Bharti Infra Tel Ltd.

On behalf of the State, it has been submitted that though the petitioners are not named in the F.I.R. but there is specific allegation attributed against the petitioners.

Considering the fact that it was accident which had taken place in which the victims have sustained injury, let the above named, petitioners, 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 Jagdishpur (Goradih)

P.S. Case No. 51 of 2010 on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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