

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24780 of 2016

Arising Out of P.S. Case No. -428 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Shailendra Kumar @ Mantu, S/o Ram Naresh Singh, Resident of Village-
Patnawan (Kala), P.S. Indrapuri, District Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vinod Kumar, Advocate.

For the Opposite Party/s : Mr. M. Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-08-2016

Heard both sides.

The petitioner apprehends his arrest in Dehri
(Indrapuri) P.S. Case No. 428/2015 registered under Section
304(A) of the Indian Penal Code.

The informant alleged that his father had gone to see
his field but he did not return. The informant went to search his
father and saw that 440 volt electric wire had fallen in his field and
his father was electrocuted. On alarm, many persons came there. It
is submitted that the petitioner is not named in the FIR. During the
course of investigation, the informant changed his statement and
disclosed that the petitioner and his father were irrigating his field
after using naked electric wire and his father was trapped in the
naked electric wire on account of which he died. It is further
submitted that in the first instance, the informant alleged that 440

volt electric wire had fallen in his field in which his father was electrocuted but, later on, altogether he gave a different story of the incident and said that the petitioner was using naked electric wire. The Superintendent of Police has, in his supervision note, directed the investigating officer to submit chargesheet under Section 304 of the Indian Penal Code.

Considering the fact that the informant himself disclosed a different story in the FIR and later on changed his version and implicated the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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, Dehri, Sasaram in Dehri (Indrapuri) P.S. Case No. 428/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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