

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55649 of 2015

Arising Out of PS.Case No. -101 Year- 2015 Thana -AMNAUR District- SARAN

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1. Tuntun Kishore Singh @ Tuntun Singh @ Tutu Singh son of Late
Harendra Singh, resident of Village- Mandrauli, P.S. Amnour, District-
Saran (Chapra). Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH
ORAL ORDER

4 22-01-2016

Heard learned counsel for the petitioners and the State.

The petitioner apprehends arrest in a case under sections 304 of the IPC and under section 3(2) (v) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution is that the petitioner called the deceased, Bhutkun Ram, and other labourer for installing water tank. While the deceased was connecting the electric wire of the water motor, the petitioner switched on the electric motor as a result of which electric current passed through the body of deceased, who died.

Learned counsel for the petitioner submits that on the basis of allegation no case under section Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act is made out. He further submits that there was no intention on the part of the

petitioner to cause harm to the deceased and witnesses during the course of investigation stated that the petitioner switched the motor without any intention to cause any harm to the deceased.

Learned counsel for the State, however, opposes the prayer for anticipatory bail and submits that negligence of the petitioner cost the life of a labourer.

Having regard to the facts and circumstances of the case, let the petitioners, as named above, in the event of arrest/surrender be released on bail on furnishing bail bond of Rs. 5,000/- (five thousand) with two sureties of the lime amount each to the satisfaction of Additional Chief Judicial Magistrate, Saran at Chapra in connection with Amnour P.S. case No. 101 of 2015, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure. One of the sureties in the form of cash.

The petitioner would not physically absent for two consecutive dates at a stretch till two witnesses are examined in the trial, failing which his bail bond would be cancelled.

(Samarendra Pratap Singh, J)

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