

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16647 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -NARDIGANJ District- NAWADA

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1. Ajit Anand @ Chote Singh Son of late Chando Singh Resident of Village
Sahajpura, PS Nardiganj Distt Nawada. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Rita Verma(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 30-08-2016 Heard the learned counsel for the petitioner, the

learned counsel for the informant and the learned Additional

Public Prosecutor.

The petitioner apprehends his arrest in Nardiganj P.S.
case No. 02 of 2016 under Section 304/34 of the Indian Penal
Code.

The brother of informant alleged that his brother was
working in Averest Infra Energy Company Ltd. as labour. The
petitioner was a contractor of Averest Infra Energy Company Ltd.
working under the Rajeev Gandhi Electrification Scheme. The
petitioner asked his brother to climb on the pole for repairing
electric line as there was shut down but the petitioner asked the
other employee to allow the electric current to pass through while
the brother of informant was repairing electric line and
consequently the brother of the informant died due to

electrocution.

The learned counsel for the petitioner submits that petitioner is not a contractor. There was no shut down on that date when the occurrence is said to have taken place and it has come in paragraph 33 of the case diary. The informant filed a petition for compensation in the Company where the informant alleged that the death occurred due to accident.

On the other hand, the learned counsel for the informant, vehemently, opposed the prayer for anticipatory bail.

It appears that informant and other witnesses, Avnish Singh and Binod, have clearly stated that it was the petitioner who asked Rahul Kumar, the deceased, to climb on the pole and in the meantime electric current was allowed to pass. Consequently, the brother of informant died due to electrocution.

Considering the fact that on account of negligence of the petitioner the deceased died due to electrocution, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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