

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3207 of 2016

Arising Out of PS.Case No. -141 Year- 2013 Thana -KADWA District- KATIHAR

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Md. Nadeem, Son of Md. Maksood, Resident of Village - Kurhela Bobra,
Police Station - Kadwa, District - Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah, Advocate

For the Opposite Party/s : Mr. Ram Chandra Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-02-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Kadwa P.S. Case No.141 of 2013 for allegedly having committed the offence under Section 302/120B/34 of the Indian Penal Code.

Case diary in the present case was called for, which has since been received.

Learned counsel for the petitioner submits that the present case, which was registered on the basis of a complaint petition, does not hold description of the involvement of the petitioner. However, in the accused column of the F.I.R. registered in pursuance thereof, the name of the petitioner figures as an accused only for the reason that in the field of one

Md. Zahid Hussain, the petitioner had supplied generator and on account of careless electrical connection, the deceased is said to have been electrocuted. Learned counsel for the petitioner further submits that no case under Section 302 I.P.C. is made out against the petitioner and at best a case under Section 304A I.P.C. can be registered against the petitioner.

Considering the nature of allegations and that there is no further cogent material in the case diary so as to implicate the petitioner and that the petitioner is also not having any criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar, in connection with Kadwa P.S. Case No.141 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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