

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7973 of 2017

Arising Out of PS.Case No. -240 Year- 2016 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

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1. Nawal Rai, Son of Late Ram Ugrah Rai, resident of village - Mithanpura,
P.O. Panapur, Police Station - Kanti, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Mohan Mishra

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017 Heard the parties.

This application has been filed in connection with Kanti Police Station (O.P.Panapur) Case No.240 of 2016 for the offence under Sections 302/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that a false and concocted case has been lodged against the petitioner stating that he pushed the deceased on the naked wire but it was his mistake that naked wires were crossing and therein the electric was running, due to which, there was burn injury on the injured and he died, however it was not intentional. The petitioner is in custody for about three months.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that the case is



under Section 304 of the Indian Penal Code and the petitioner has remained in custody for about three months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate (West), Muzaffarpur in connection with Kanti Police Station (O.P. Panapur) Case No.240 of 2016 dated 31.05.2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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