

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35486 of 2017

Arising Out of PS. Case No.-57 Year-2017 Thana- HATHAURI District- Muzaffarpur

Sunil Ojha Son of Tejnarain Ojha, R/o Vill. Amma, P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. SRI SANJAY KUMAR SHARMA

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 30-10-2017 Heard learned counsels for the petitioner and the State.

Petitioner apprehends arrest in connection with Hathauri P.S. Case No. 57 of 2017 registered for the offence punishable under section 304 of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that petitioner had surrounded his field with wire for protection from animals. There is no current in the wire. Petitioner had no enmity with the deceased and he had no intention to kill any human being. Petitioner has no criminal antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that even if there was no enmity, but the law does not permit anyone to put live wire for protection of any thing. It is a case of gross negligence on the part of the petitioner due to which one has lost his life. As such, petitioner



does not deserves to be granted anticipatory bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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