

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49520 of 2017

Arising Out of PS.Case No. -70 Year- 2017 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

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Satyendra Pandit, S/o Late Baleshwar Pandit, resident of Village- Mirjapur,
P.S.- Barbigha, District- Sheikhpura. At present Junior Line man, Electricity
Department, Devision, Ekangarsarai, P.S. Ekangarsarai, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 14-12-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Ekangarsarai P.S. Case No. 70 of 2017 for the offence punishable under section 304 of the I.P.C.

Allegedly, Chandan Kumar died due to the electric shock when he was working on the electric pole by order of the contractor Dharmendra Kumar. During investigation name of the petitioner transpires that he was on duty to shut down the electric current and inspite of the information that the work is going on the petitioner negligently did not shut down the electric current.

Submission is of false implication and that the petitioner was not on duty which is evident from Annexure-2, as a



matter fact Vinay Kumar was on duty which is evident from paragraph-75 of the case diary also as Vinay Kumar has admitted that he was on duty and Chandan Kumr without informing any one to shut down the electric current started working resulting he met with an accident due to the electric shock, the independent witness Permanand Prasad has also stated in paragraph-71 of the case diary that Chandan Kumar started work on the electric pole without getting shut down and he did not obey the advice of Permanand Prasad and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that during investigation the name of the petitioner has transpired. The witnesses Permanand Prasad and Vinay Kumar have stated otherwise.

In the facts and circumstances stated above, the petitioner, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M, Hilsa (Nalanda) in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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