

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45000 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -MADANPUR District- AURANGABAD

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1. Manoj Sharma, son of Sidheshwar Sharma
2. Chhottan Yadav @ Chhotan Yadav, son of Bishunpat Yadav
Both are resident of village- Chouthiya, Police Station- Salaiya, District-
Aurangabad.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate.

For the Opposite Party/s : Smt. Nirmala Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-01-2017 Heard learned counsel for the petitioners and the

State.

The petitioners seek anticipatory bail in a case
instituted for the offence under Sections 341, 323, 504, 304 and
308/34 of the Indian Penal Code.

It is alleged in the written report that on the date of
occurrence when the father and uncle of the informant were lifting
the electric pole, the contractor told them that the electric line has
been cut. Thereafter, in course of fixing the pole, the pole touched
the wire and both of them were electrocuted and became
unconscious. During treatment, the father of the informant died
whereas the treatment of his uncle was going on.



The case diary has been received wherein the informant further stated in paragraph-2 and other witnesses in paragraphs 9 and 10 have stated that the father and uncle of the informant sustained injuries by fixing electric pole and the pole touched the line wire. The allegation against the petitioners is that they told both uncle and father of the informant that they have got the electricity cut and on their assurance, they started work. Besides, this, there is no any specific overt act alleged against the petitioners.

Considering the aforesaid facts and circumstances of the case, let the petitioners in the event of surrender, named above, within six weeks from the date of receipt of this order, in connection with Madanpur P.S. Case No. 100 of 2016, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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