

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12355 of 2018

Arising Out of PS.Case No. -137 Year- 2017 Thana -LODIPUR District- BHAGALPUR

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Awadhesh Yadav, son of Kameshwar Prasad Yadav, resident of village
Goradih, P.S. Goradih, Distt. Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate.

For the Opposite Party/s : Smt. Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Lodipur P.S. Case No. 137 of 2017** instituted for the offence under Sections 302 and 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that petitioner is the employee of the Power Grid.

In the written report it is alleged that while Moharram procession was passing through Agarpur village towards Suraj Mahal Pahlam and reached near Choudhary Tola More, all of sudden 11000 Wire broke and fell on few members of the procession, on account of which, two persons as named in the written report died on the spot due to electric current.

The informant has alleged that the accused persons who are employees of the Power Grid and the Circle Officer have deliberately caused the occurrence.



As such, mere vague allegation and suspicion has been raised against the petitioner in the written report.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Lodipur P.S. Case No. 137 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri R.R. Raman, **learned Additional Chief Judicial Magistrate, Bhagalpur**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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