

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40672 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -MAHKAR District- GAYA

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1. Kamlesh Yadav S/o Late Shobhi Yadav
2. Samphul Devi W/o Late Shobhi Yadav
3. Anajy Kumar S/o Kameshwar Thakur All are resident of village
Khokhanachak, P.S. Mahkar, Distt. - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Mahkar P.S.Case no.16 of 2018 registered for offences punishable under Sections 302, 34 of the Indian Penal Code.

Allegation against the petitioners is of causing death of the son of the informant by electrocuting shock.

Submission of the learned counsel for the petitioner is that earlier an U.D. case had been lodged by the father of the informant and later on he filed a police case in this case. It is also submitted that there is no eye witness of the occurrence and the petitioners have been falsely implicated in this case.

Heard learned A.P.P. and the learned counsel for the



informant, who has opposed the prayer for bail stating that father of the deceased was not knowing the fact and later on he has come to know from the mother of the deceased and the sister of the deceased about the occurrence and thereafter the present case has been lodged. It is further submitted that earlier signature of the informant was taken on the plea that the dead body has to be taken. Further submission is that Dy. S.P. in his supervision note has also stated all the above facts.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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