

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28648 of 2018

Arising Out of PS.Case No. -109 Year- 2017 Thana -CHANDAUTI District- GAYA

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1. Baiju Yadav S/o Late Madho Yadav, R/o Vill.- Korma, P.S.- Chandauti,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar. null null
2. The South Bihar Power Distribution Company Ltd. through its Managing
Director, Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 31-05-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with

Chandauti PS case no. 109 of 2017 instituted for the offences

punishable under Sections 304, 337, 338 of Indian Penal Code

and Section 135 of the Indian Electricity Act.

The allegation is regarding three persons having

died on account of electrocution when they were passing through

the field of the petitioner and had come in contact with the live

wire which had broken and fallen in the field.

The learned counsel for the petitioner submits that

the breaking down and falling of the live wire cannot be attributed



to the petitioner herein. It is further submitted that the petitioner is having a clean antecedent. It is further submitted that at best, a case of negligence can be said to have been made out, for which the petitioner has adequately been punished, inasmuch as, he is languishing in custody since 05.03.2018.

Having regard to the facts and circumstances of the case, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Electricity), Magadh Area, Gaya in connection with Chandauti PS case no. 109 of 2017.

(Mohit Kumar Shah, J)

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