

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42487 of 2018

Arising Out of PS. Case No.-356 Year-2015 Thana- AGAMKUAN District- Patna

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1. Mahesh Kumar, Son of Gyan Chandra Choudhary Resident of Village- Dihwuri, P.O. Madhopur, P.S. Tekari, District- Gaya at Present posted as Asstt. Electrical Engineer, Electric Supply Sub-Division, Dedarganj.
 2. Suryakant Choudhary @ Shrikant Choudhary, Son of late Bishwanath Choudhary Resident of Mango, P.S. Chalkusa, District Hazaribagh, at Present Posted as Junior Electrical Engineer, Transformer Repairing Work, Shop Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar

For the Opposite Party/s : Mr. Rajkishore Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Agamkuan P.S. Case no. 356 of 2015, registered under Section 304 of the Indian Penal Code.

The accusation is that Lakho Paswan, son of informant, was doing the work of electrician, in private capacity, at Pahari Power Sub-Station. On 17.08.2015, in the morning, Junior Engineer, Smt. Anuja Rashmi called the son of informant for correcting the fault of electricity, but in the evening, his son did not return. Later on, informant came to



know that his son died due to electric shock during correcting of electric fault, while on taking permission of the petitioner No.1, who is S.D.O, the J.E. had already instructed to Harikishan to shutdown the supply of electricity for correcting the fault in electric supply.

Learned counsel for the petitioners submits that at the time of occurrence, petitioner No.1 was posted as S.D.O at Pahari Sub-Station and Junior Engineer Smt. Anuja Rashmi, after taking permission from him ordered to Harikishan to shutdown the supply of electric power for repairing of electric fault, but he could not discharge his duty. Further submission is that petitioner No.2 Suryakant Choudhary is not connected with the power station, but he being the associate of the petitioner No.1 has also been implicated in this case. Further submission is that Junior Engineer Smt. Anuja Rashmi has already been allowed privilege of pre-arrest bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 38605 of 2018 on 03.07.2018. Moreover, Harikishanjee, Electric Technician, who was deputed for looking after the functioning of the power station, was instructed to shutdown the supply of electric power, which is clear from F.I.R. Further submission is that petitioners have no criminal antecedents.



Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Patna City in connection with Agamkuan P.S. Case No. 356 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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