

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58942 of 2017

Arising Out of PS.Case No. -74 Year- 2017 Thana -KHANPUR District- SAMASTIPUR

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Prabhat Kumar Prabhakar @ Prabhat Kumar, Son of Sri Vijay Kant Giri,
Resident of Village- Mohammadpur, Sakra, P.S.- Vibhutipur, District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-01-2018 Heard the learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection with
Khanpur PS case no. 74 of 2017 dated 03.06.2017 registered for
the offences punishable under Section 304 of the Indian Penal
Code.

The allegation in the present case is that while the deceased
was working on electricity line and had taken shutdown from the
Switch Board operator (petitioner herein) the electricity line was
switched on, resulting in electrocution of the deceased.

The learned counsel for the petitioner submits that no offence
is made out under Section 304 of the Indian Penal Code and at
best the present case is said to be a case of negligence. It is further



submitted that the petitioner has a clean antecedent and he is a government employee, hence there is no likelihood of him fleeing away from the investigation or trial and the petitioner would definitely join the investigation, if need so arise.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial magistrate (West), Samastipur in connection with Khanpur PS case no. 74 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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