

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11215 of 2019

Arising Out of PS. Case No.-144 Year-2018 Thana- RUPAULI District- Purnia

Subodh Mandal @ Subodh Kumar Mandal, Son of Ratilal Mandal, resident of village-Gidha, P.S.-Rupouli, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 17-05-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Rupouli P.S. Case No. 144 of 2018, registered under Sections 302 and 120(B)/34 of the Indian Penal Code.

The accusation is that Subodh Mandal, electrician (petitioner) called Ashok Kumar, husband of the informant, Kaushaliya Devi, for removing the fault in the transformer. Thereafter, petitioner along with her husband reached near the transformer and her husband, Ashok Kumar, through his mobile no. 6200083350 talked at Power Grid to shut down of electric supply, where Sanjay Roy and Rakesh Mandal were posted as button operator under the supervision of J.E., Raghuvendra Jha.



Thereafter, her husband, Ashok Kumar, again asked to shut down the electricity supply, on which, line was shut down. Before climbing up of transformer, petitioner took the mobile of her husband, Ashok Kumar. Thereafter, her husband started to repair the transformer but in course of repairing, petitioner informed to the staffs of Power Grid from the mobile of her husband to supply the electricity energy, on which, Sanjay Roy and Rakesh Mandal supplied the electricity energy, in which, her husband sustained grievous injury and rushed to Rupauli Referral Hospital but he died.

Learned counsel for the petitioner submits that after the death of husband of the informant, departmental inquiry was made, in which, it was detected that Sanjay Choudhary and Rakesh Kumar were posted as button operator and due to their negligence, electricity energy was supplied at the time of repairing of transformer, in which, Ashok Kumar, husband of the informant sustained grievous injury, which would appear from the inquiry report dated 29.08.2018 (Annexure-2). Moreover, the story as narrated by the informant that mobile of her husband was taken by the petitioner at the time of removing the fault in transformer is false.

Having regard to the facts and circumstances of the



case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Purnea, in connection with Rupouli P.S. Case No. 144 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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