

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20586 of 2019

Arising Out of PS. Case No.-78 Year-2018 Thana- KADIRGANJ District- Patna

UPENDRA PRASAD @ UPENDRA YADAV @ LALU YADAV Son of
Kameshwar Prasad R/o village- Parmanki, P.S.- Kadirganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Sharma

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Section
304 of the Indian Penal Code.

The prosecution case in short is that minor son and
daughter of the informant were electrocuted while they were
returning after taking bath and in consequence thereof,
informant's minor daughter died. The wire was kept in the field
by the petitioner for running motor pump to irrigate the crop.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 02-01-2019. Charge sheet has
already been submitted. The death of the deceased is said to



have taken place due to accident. The wire which was laid out on the field, was for the purpose of running the motor for irrigation. There was no intention on the part of the petitioner to cause any type of hurt or injury to the victim and the deceased.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri B. N. Tripathi, learned Judicial Magistrate-Ist Class, Masaurhi, Patna in connection with Kadirganj P.S. Case No. 78 of 2018.

(Sudhir Singh, J)

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