

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40660 of 2019

Arising Out of PS. Case No.-97 Year-2018 Thana- JEHANABAD RAIL P.S. District- Gaya

UPENDRA KUMAR Son of Sri Ram Pravesh Ram Residence of Kasyato Ramautar Apartment, Flat no.206, Near Paras Garden Marriage Hall, Police Station-Rajiv Nagar, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Tiwary

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-07-2019 This application, for grant of anticipatory bail, arises out of Jehanabad Rail P.S. Case No. 97/2018, disclosing offences under Sections 288, 304/34 of the Indian Penal Code.

Prosecution case is that while the husband of the informant was going to catch a train and was passing through platform no. 1 at Tehta Railway Station, where the demolition of old building was going on and a pole fell on the husband of the informant due to which he sustained injuries and brought to the Sadar Hospital, Jehanabad, from where, he was referred to the PMCH, Patna, where the husband of the informant succumbed to the injuries. Petitioner happens to be Junior Engineer.

Submission of learned counsel for the petitioner is that the sign of caution was given at the place of occurrence but



in spite of that husband of the informant was passing through that place. Further submission is that incident was not intentional and he was also not present on the sight.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rail, Gaya, in connection with Jehanabad Rail P.S. Case No. 97/2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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