

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42322 of 2019

Arising Out of PS. Case No.-40 Year-2014 Thana- PURUSHOTTAMPUR District- West
Champaran

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ASHOK SAH, Gender-Male, Aged about 34 years, S/o Indradeo Sah R/o
village- Singasani, P.S.- Inerwa, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-07-2019 Heard both sides.

The petitioner apprehends his arrest in
Purushottampur P.S. Case No.40 of 2014 registered under
Sections 302, 120(B) and 34 of the Indian Penal Code.

The wife of the deceased alleged that while her
husband was repairing the electric wire after shut down of the
line, the accused persons suddenly removed the shut down on
account of which her husband died due to electrocution.

The learned counsel for the petitioner submits that
prior to present incidence, the deceased had himself made
allegation against Sanjay Kumar and Kamlesh Sah that they had
threatened to kill him by removing shut down while repairing
work was going on. It is further submitted that there is no
allegation against the petitioner and only suspicion is raised.
Due to negligence on the part of the deceased himself, the



accident took place. The deceased was repairing the electric line without demanding of shut down from the grid sub-station. It is further submitted that similarly situated co-accused namely Sanjay Kumar and Kamlesh Sah have already been granted anticipatory bail vide order passed in Cr. Misc. No.19013 of 2015 and 50269 of 2015.

Taking into consideration the facts aforesaid and the fact that the Similarly situated co-accused namely, Sanjay Kumar and Kamlesh Sah have already been granted anticipatory bail, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Purushottampur P.S. Case No.40 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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