

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70875 of 2019**

Arising Out of PS. Case No.-394 Year-2018 Thana- ATRI District- Gaya

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Darogi Yadav @ Darogi Prasad Yadav, Son of Late Sukar Yadav, Resident of
Village - Sukhe-Bigha, P.S.- Atri, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 27-11-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner is languishing in custody since
06.08.2019 in a case registered for the offence punishable under
Section 304 of the Indian Penal Code.

It is alleged that the petitioner was consuming
electricity through naked wire, as a result, the husband of the
informant got electrocuted.

It is submitted by learned counsel for the petitioner
that the petitioner was consuming electricity on a valid
connection and even assuming the accusation to be true, only a
case under Section 304A IPC is made out which is bailable.

Learned counsel for the informant submits that due to
the negligence of the petitioner, the husband of the informant got



electrocuted. Though, learned APP submits that the accusation is specific against the petitioner.

Considering the fact that though the petitioner is accused in four other cases but investigation has already been concluded and the accusation does not suggest that the act or omission was deliberate on part of the petitioner, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIIIth, Gaya in connection with Atri P.S. Case No. 394 of 2018.

(Dinesh Kumar Singh, J)

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