

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5104 of 2021**

Arising Out of PS. Case No.-365 Year-2020 Thana- NAUTAN District- West Champaran

Hariom Kumar aged about 25 years S/o Gopal Sah R/o Village- Ramnagar
Bairiya, P.S.- Nautan, District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-04-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 304/34 of the Indian Penal Code.

As per the prosecution case, the petitioner and co-accused Kishori Sah had put naked electric wire in the paddy field and when informant's son went there to attend call of nature he sustained electric shock and died on the spot.

Learned counsel for the petitioner submits that the electric wire was fallen in the field of Kishori Sah and petitioner had got no concern either with the electric wire or



with the field. Petitioner is in fact an electrician and he has been implicated in this case on mere suspicion. There was no intention of the petitioner to kill informant's son and the victim is nephew of co-accused Kishori Sah. No incriminating material has been collected during course of investigation against the petitioner. Petitioner has claimed clean antecedent and he is in custody since 21.9.2020.

Considering the facts and circumstances of the case coupled with the fact that no incriminating material has been collected during course of investigation against the petitioner, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Bettiah, West Champaran in Nautan Police Station Case No. 365 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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