

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 9296 of 2020**

- Amrit Singh S/o Ramdhari Singh, Aged About 51 Years R/o - Mahavirganj, Police Chowki - Vijaynagar, Police Station - Ramanujnagar, District - Balrampur - Ramanujnagar Chhattisgarh., District : Balrampur, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh, Through - Police Chowki, Vijaynagar, Police Station - Ramanujganj, District - Balarampur - Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

**--Non-Applicant**

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|-------------------------|---------------------------------------------------------|
| For Applicant           | : Shri P.K. Patel and Shri Dashrath Kushwaha, Advocates |
| For Non-Applicant/State | : Shri Dinesh Tiwari, Dy. G.A.                          |

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**Hon'ble Justice Shri Gautam Chourdiya**

**Order on Board**

**01/02/2021**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested on 2.10.2020 in connection with Crime No.185/2020, registered at Police Station-Ramanujganj, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 304 of the IPC.
2. Case of the prosecution is that the complainant has lodged the report that on 8.10.2020, at about 8.00 am, when his brother Jirjodhan Kodaku had gone to kill birds in the corn field, he died due to electrocution made by the applicant in his field. Based on this, an offence has been registered against the applicant and he was arrested.
3. Learned counsel for the applicant submits that the allegations

against the applicant are false and fabricated and he has been falsely implicated in the case. He submits that the applicant had no intention to kill anybody and due to negligence, the deceased came into contact with the electric wire and died. He submits that yet charge sheet has not been filed and no offence is made out against the applicant under the above mentioned Section of the IPC, therefore, at this stage, he may be granted bail.

4. On the other hand, learned counsel for the Non-Applicant/State opposes prayer for grant of bail. He submits that due to the act of the applicant, the deceased has died.
5. Having considered the submission made by learned counsel for the parties and looking to the act of the applicant that he made supply of live current in the field knowing this fact that anybody who will come in contact, may die and the deceased died due to that electrocution, I am not inclined to grant bail to the applicant.
6. Accordingly, the bail application is dismissed.

Sd/  
**(Gautam Chourdiya)**  
**Judge**