

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7397 of 2022

Arising Out of PS. Case No.-208 Year-2020 Thana- KHIJARSARAI District- Gaya

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Jitendra Kumar @ Jitendra Yadav Son of Rampravesh Prasad Resident of
Village - Naudiha Mahsi, Police Station - Khizersarai, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 29-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Khizersarai P.S. Case No. 208 of 2020 lodged under Sections
304(B)/34 of the I.P.C.

As per the prosecution case, the allegation of
304(B)/34 of the I.P.C. is against the petitioner alongwith his
other family members.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that the said occurrence is an unfortunate occurrence took place
as the conjugal life of the petitioner and deceased was extremely

happy and from the said life, they have 2 kids. Counsel for petitioner submits that post-mortem report is annexed in this case in which it has been opined that the death has been caused likely by electric shock.

Counsel for petitioner further submits that there is general and omnibus allegation against the petitioner. He also submits that the antecedent of the petitioner is clean and he is in custody since 14.07.2021 and that the charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for informant also appeared in this case and he fairly submits that as per doctor's report in the post-mortem, the death is likely to be caused due to live electric wire. He has also concerned about the children of the informant and petitioner.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Gaya in connection with Khizersarai P.S. Case No. 208 of

2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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