

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29475 of 2021

Arising Out of PS. Case No.-61 Year-2019 Thana- DERNI BAZAR District- Saran

PAWAN SINGH @ ARJUN @ ARJUN SINGH Son of Panchanand Singh @
Tarkeshwar Singh Resident of Village- Achalpur Sutihaar, Police Station-
Derni, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr.Vinod Shankar Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Derni P.S.
Case No. 61 of 2019 corresponding to Sessions Trial No. 388
of 2020 registered for the offences punishable under Sections
304, 337, 338 of the IPC.

As per prosecution case, the informant alleges that the
petitioner had fenced iron wire around his maize field and
provided electric current from the wire and on 12.04.2019 at
5:30 AM, his son had gone there for natural call who died
having got electric shock.



Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that from bare perusal of the FIR it is apparent that there was no intention or motive to kill the informant's son. He further submits that there is no enmity between the parties, so there is no any chance to provide the current from the electric wire intentionally. Learned counsel further submits that police after investigation submitted charge sheet on 31.12.2019 under Sections 304 and 307 of the IPC against the petitioner. Petitioner is in custody since 05.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, 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 the learned 11th Additional Sessions Judge, Chapra, Saran in connection with Derni P.S. Case No. 61 of 2019 corresponding to Sessions Trial No. 388 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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