

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26146 of 2022

Arising Out of PS. Case No.-468 Year-2021 Thana- MAJHAULIA District- West Champaran

Bunel Yadav S/o vijay Yadav Resident of Village - Majhariya Shekh, Ward
No. 1, P.S. - Majhauriya, District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
Majhauriya P.S. Case No. 468 of 2021 under sections 304, 201,
34 of the Indian Penal Code.

As per the allegation in the FIR, the informant has
alleged that the accused persons including the petitioner herein
had put a live aluminum electric wire around his land and had
run the electricity in the said wire and when his wife was
returning home, she got stuck in the live wire which caused her
immediate death. The further allegation is that when the
accused persons came to know about the death, they



immediately started unwinding the wire and also tried to cover the body. Accordingly, the present FIR was lodged.

Learned counsel for the petitioner submits that even going by the allegation in the FIR, there was no intention on their part to cause death of anyone much less the informant's wife. They were only trying to protect the land from stray animal but unfortunately it led to death of a woman. It is further submitted by him that some of the similar placed co-accused namely Santosh Yadav, Awadhesh Yadav and Vijay Yadav have since been allowed the privilege of anticipatory bail vide Cr. Misc. No. 18549 of 2022 on 22.4.2022 (as stated in para-13 of the bail application). It is lastly submitted that he is in custody since 25.2.2022 (as stated in para-18 of the bail application).

Considering the fact that the case is registered under sections 304, 201, 34 of the Indian Penal Code, some co-accused have since been granted bail as stated aforesaid, the petitioner is in custody since 25.2.2022 and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of



like amount each to the satisfaction of Chief Judicial Magistrate,
Bettiah, West Champaran, in connection with Majhauriya P.S.
Case No. 468 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of
the petitioner, who shall provide official document to show
his/her bona fide;

(ii) the petitioner shall appear on each and every date
before the Trial Court and failure to do so for two consecutive
dates without plausible reasons will entail his cancellation of
bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or
threat the witnesses or tamper with the evidence, failing which
the State shall be at liberty to take steps for cancellation of his
bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

