

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45050 of 2021

Arising Out of PS. Case No.-320 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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OM PRAKASH KUMAR S/O BAIDYANATH SAH R/o village- Karhariya
Bujurg, P.S.- Goraul, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 304/34 of the Indian Penal Code.

Prosecution case, in short, is that the husband of the
informant was an electrician working for V.T.L. company, which
is run by Manish Electrical. The husband of the informant was
working on electric pole without shutting down of main line and
got electrocuted.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. As per the allegation, the husband of the informant was the electrician, who was working on the pole and due to electrocution he succumbed to death. At best, an offence under Section 304A of I.P.C. is attracted in the present case. No offence under Section 304 of I.P.C. is made out.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st (East), Muzaffarpur in connection with Kazi Mohammadpur P.S. case No.320/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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