

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41425 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- MADHUBAN District- East Champaran

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Vinod Kumar @ Vinod Kumar Pandit Son of Mahendra Pandit Resident of
Village - Chakiya, P.S.- Chakiya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhav Jha

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 304/34 of
the Indian Penal Code.

As per the prosecution case, on the alleged date and
time occurrence the accused persons constructing market near
Gandhi Chowk, Madhuban. Co-accused Vinod Kumar
(Contractor) sent four labourers including son of the informant
into the septic tank which was being constructed without taking
any safety measure and after sometime when no response came
from the labourers, with the help of local people all the four
persons were brought out from the septic tank in unconscious
condition and they were sent to Madhuban Hospital from where



they were referred to some other hospital and during course of treatment son of informant and one Masoom were declared dead.

It is submitted that petitioner was doing construction work in capacity of Mason and not as Contractor and it was the duty of Contractor to ensure the safety measures to whom the work of construction was given and under whose guidance the construction work was going on. Petitioner claims clean antecedents.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Chief Judicial Magistrate, East Champaran in connection with Madhuban P.S. Case No. 118 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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