

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59442 of 2021

Arising Out of PS. Case No.-318 Year-2019 Thana- PARSA District- Saran

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Laddu Main @ Maksud Mian S/O Sarffuddin Mian R/O Village-Balhan
Baligaon, P.S- Parsa, District-Saran At Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 28-09-2022 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
Parsa P.S. Case No. 318 of 2019 lodged under Section 304 of
the I.P.C.

As per the prosecution case, the informant has alleged
that her husband was gone for natural call in the agricultural
land of the petitioner. The allegation made is that the petitioner
has arranged open electric wire in his agricultural field. The
husband of the informant received electric current shock and
died.

Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. He submits that with a view to save his agricultural product, he has arranged the wire so that his agricultural product may be saved from the animals. He is not drawn the said arrangement with a view to kill any human rather to save from animals only. Learned counsel for the petitioner further submits that it is an act which is not murder but culpable homicide not amounting to death. His antecedent is clean and in custody since 30.07.2021, charge sheet has already been submitted.

Learned counsel for the State opposes the prayer for bail and submits that this action of the petitioner of surrounding his field with open electric wire due to which death has been caused is illegal.

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 Addl. Chief Judicial Magistrate- IXth, Saran at Chapra in connection with Parsa P.S. Case No. 318 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall

appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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