

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63878 of 2021

Arising Out of PS. Case No.-86 Year-2021 Thana- JAYNAGAR District- Madhubani

HIRA LAL SINGH Son of Late Shri Thakai Singh Resident of Village-
Selara, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

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

Learned counsel for the petitioner submits that the
petitioner is in custody since 09.08.2021, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that the petitioner illegally had
taken line from eleven thousand Kilowatt transformer and took
the wire in his field through the field of the husband of the
informant for keeping the wild animal away. Further, the
petitioner used to operate the line at 08:00 p.m. but on the date



of occurrence, he switched on the line at 05:00 p.m. without informing the deceased. Further, the deceased, who had gone to his field, came in contact with the wire and died. It is next alleged that the petitioner despite seeing the deceased did not inform him that he has switched on the line and electric current is flowing. Further, earlier the petitioner on account of dispute relating to sugarcane had threatened the deceased that he will be killed.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that the informant herself alleges that the petitioner had taken a line from the transformer and taken the wire in his field through the field of the husband of the informant. Learned counsel submits that it absolutely does not stand to reason that if there was an illegal electricity connection then the deceased would have permitted the petitioner to have the wire crossed his own land. Learned counsel submits that it was the deceased who had taken the line for irrigating his field and by chance he came in contact with the same and the informant falsely implicated the present petitioner.

Learned A.P.P. for the State vehemently opposes the



prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted and also one of the co-accused Dev Kumar Singh has been granted bail by order dated 22.03.2022 in Cr. Misc. No. 53772 of 2021, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Jaynagar P.S. Case No. 86 of 2021, C.R.I. No. 477 of 2021.

(Satyavrat Verma, J)

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