

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28117 of 2023

Arising Out of PS. Case No.-126 Year-2018 Thana- BELDOUR District- Khagaria

Raju Kumar @ Rajiv Kumar, son of Lalit Kumar Singh @ Lalkund Singh @
Lalit Kumar Resident Of Village Pansalwa Ps Bedaur District Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Beldaur P.S. Case No. 126 of 2018 registered for the offences punishable under Sections 302/120(B) of the Indian Penal Code. He has no criminal antecedent as stated in paragraph ‘3’ of the application.

As per the prosecution story, the informant has alleged that her son Dhiraj Kumar (deceased) was assisting the petitioner who is an employee of electricity department as helper and in course of connecting a wire from transformer he came in contact with the electric line, thereafter the son of the informant was brought to hospital where he died.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case. Learned counsel submits that police has not found any material against this petitioner as also there is no eye witness of the alleged occurrence.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that as per the F.I.R. the son of the informant was working as helper of this petitioner who works in the electricity department and while he was engaged in connection with the said work on a transformer pole, he came in contact with the electric line and died, the submission being that police had not found any material against the petitioner in course of investigation but by differing with the police report the learned court below has taken cognizance vide order dated 30.01.2022, there is no eye witness of the alleged occurrence as also he has no criminal antecedent, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in



connection with Beldaur P.S. Case No. 126 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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