

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56071 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Umashankar Sah @ Uma Sah S/O Late Gopal Sah R/O Village- Rampoor,
Narsingh (Babhan Toli, Chaita), Ps. Pakaridayal, Dist. East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 304, of the Indian Penal Code.

As per prosecution case, the allegation against the petitioner is that he runs oil mill and due to his negligence a lady namely, Kanti Devi trapped in belt of oil mill due to which she sustained injury and died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is submitted that the son and husband of the deceased was present at the place of



occurrence and they had seen the occurrence but they had not lodged any FIR rather the *choukidar* due to personal grudge lodged this FIR. It is further submitted that Section 304 of the IPC was added being made out that there is no specific or intentional allegation levelled against the petitioner. He is languishing in judicial custody since 03.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pakridayal P.S. Case No. 31 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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