

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72335 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- PAWANA District- Bhojpur

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RUPESH KUMAR Son of Shankar Keshari @ Shankar Prasad Keshari R/o
vill - Pawna, P.S. - Pawna, Distt. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Pawna P.S. Case No. 50 of 2023 dated
24.06.2023 registered for the offences punishable u/s 304 read
with section 34 of the Indian Penal Code.

3. As per the prosecution case, during the marriage
ceremony, the petitioner and the co-accused person are alleged
to have connected the electric line with the government electric
pole in place of the generator line without giving knowledge to
the informant due to which the informant's grand-daughter died
of an electric shock.

4. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. It is further submitted that the informant has filed a petition (Annexure-P/2) dated 07.02.2023 before the Court of learned Judicial Magistrate 1 st Class, Bhojpur at Ara stating that he had instituted the F.I.R. against the petitioner due to misconception and on the instigation of local people. It is further submitted that in the aforesaid petition, the informant has succinctly stated that the petitioner is innocent and he did not recognize the petitioner at the time of alleged occurrence. It is further submitted that the petitioner has no knowledge about the said occurrence. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhojpur at Ara in connection with Pawna P.S. Case No. 50 of 2023, subject to conditions as laid down under section 438(2) of the Code of



Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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