

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75350 of 2023

Arising Out of PS. Case No.-337 Year-2023 Thana- KOILWAR District- Bhojpur

RAJ KUMAR SINGH S/o- PANCHANAN SINGH Village- Mohkampur Ps-
Koilwar Gidha OP Dist- Bhojpur At Arah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yash Singh, Advocate
For the Opposite Party/s : Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 304/34 of the Indian Penal Code.

3. It is alleged that on 08.06.2023 at 9:30 am, Meena Devi, mother of the informant, went near the farmland of the accused persons and came in contact with the electrified fence near the field of Ranvijay Singh and others as a result of which she died.

4. It is submitted on behalf of the petitioner that from bare perusal of the F.I.R., the actual place of occurrence of death of the deceased is unclear. This petitioner cannot be held liable or responsible only by virtue of owner of the land. No direct or active role has been assigned to this petitioner. The land where the deceased died does not belong to this petitioner. As a matter



of fact, the present occurrence does not amount to culpable homicide, hence, it comes under the purview of Section 304(a) of IPC and not under Section 304 of IPC. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposes the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Ara in connection with Koilwar (Gidha O.P.) P. S. Case No. 337 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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