

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74659 of 2022**

Arising Out of PS. Case No.-138 Year-2022 Thana- AWTARNAGAR District- Saran

MAHESH RAI @ MAHESH RAY SON OF LATE RAM NATH RAY R/O  
VILLAGE- RAMGARHA, P.S.- AWTARNAGAR, DISTRICT- SARAN AT  
CHHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      16-05-2023      Heard learned counsel for the petitioner and learned A.P.P.  
for the State.

The petitioner apprehends his arrest in a case registered for  
the offences punishable under Section 304 of the Indian Penal  
Code.

Allegedly, on 10.07.2022, the wife of informant, namely,  
Sugga Devi had gone to cut the grass in the field of Mahesh Rai  
and that field was surrounded by naked electric wire. His wife  
came in contact of the said wire and died.

It is submitted by learned counsel for the petitioner that  
petitioner is quite innocent and has committed no offence. No  
such occurrence as alleged ever took place. Both the parties are  
co-villagers. He has been falsely implicated in this case due to  
ulterior motive. The allegation levelled against the petitioner is  
not specific rather general and omnibus in nature. It is further



submitted that the dead body has been recovered from the field of one Baleshwar Singh which is adjacent to the field of the petitioner. Only with a view to extort money, the informant has filed this case against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail and submitted that from the perusal of the FIR, it is evident that the informant's wife died due to electric shock. During investigation, the witnesses, examined in para 7 of the case diary, have supported the prosecution case against the petitioner.

Considering the facts and circumstances of case, as the allegation levelled against the petitioner is serious, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

**(Anjani Kumar Sharan, J)**

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