

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55374 of 2024**

Arising Out of PS. Case No.-152 Year-2024 Thana- GRIYAK District- Nalanda

Gulshan Kumar @ Sumit Kumar Son of Pramod Kumar Resident of Vill-  
Khirbhajna, P.O.- Naromurar, P.S.- Warisaliganj, District- Nawada, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun Bharti

For the Opposite Party/s : Mr. Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      07-08-2024                      1. Heard learned counsel for the petitioner, Sri Arun  
Bharti and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 304 and 34  
of the Indian Penal Code.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and the informant  
alleges that petitioner and Pramod are engaged in fish farming  
and thus were having their pond and the pond was fenced with  
live wire, it is further alleged that his maternal nephew after  
defecation went to the pond to touch water when he was  
electrocuted and started drowning, thereafter, brothers of the  
informant namely Pankaj and Ajay tried to save him, but they  
were also electrocuted and all three died.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case in order to coerce his father (Pramod) into submission. It is next submitted that petitioner is a student and is pursuing his B.Com course from Allama Iqbal College, Biharsharif, Nalanda (Session 2021-2024) and stays in a rented accommodation at Dekuli Ghat at Biharsharif. It is next submitted that on the date of occurrence i.e. 27.02.2024, the petitioner was having his final examination of Taxation, Law and Accounts at S.P.M. College, Nalanda as would manifest from *Annexure-2* to the anticipatory bail application. It is fairly submitted that father of the petitioner is engaged in business of fish and the petitioner was completely unaware that the pond was fenced with electric wire, but since the maternal nephew of the informant along with his two brothers died, on account of electrocution, as such, the petitioner also came to be implicated. It is submitted that petitioner hardly remains in his village as for his study he is residing at Biharsharif where he is pursuing his studies. It is also submitted that petitioner is a young boy aged about 20 years and in the event if the anticipatory bail application of the petitioner is rejected, his entire career would get jeopardized and chances are bright that he may come in contact with hardened criminals in



the jail. It is also submitted that petitioner will not abscond rather will co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Giriyak (Katrisarai) P.S. Case No. 152 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation or is not presenting himself as and when required, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.



8. It is further made clear that in the event if charge sheet is submitted and thereafter the learned Trial Court comes to the conclusion that petitioner is trying to delay the trial in any manner, in that event also the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

**9. Accordingly, the instant anticipatory bail application stands allowed.**

**(Satyavrat Verma, J)**

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