

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75597 of 2023

Arising Out of PS. Case No.-242 Year-2023 Thana- NARDIGANJ District- Nawada

1. SADHU KUMAR @ SATYENDRA CHAUDHARY S/O MOHAN CHAUDHARY R/O VILLAGE- KOSHALA, P.S- NARDIGANJ, DISTT.- NAWADA.
2. BISHESHWAR CHAUDHARY @ RAJU CHAUDHARY R/O VILLAGE KOSHALA, P.S. NARDIGANJ, DISTRICT NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Verma, Advocate
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad, APP
For the Informant	:	Mr. Rajesh Kr. Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 31-07-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Nardiganj PS case no. 242 of 2023, disclosing offences punishable under Section 304 of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that the petitioners have killed the son of the informant namely Monu Kumar by giving him electric shock.
4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to village rivalry. Learned counsel further submits that informant's



son died due to shock from the electric point situated near the field, where the petitioners, who are vendors of ice-cream, used to charge their ice-cream vans. He also submits that during course of investigation, none of the witnesses told that petitioners have intentionally killed the informant's son by giving electric shock.

5. On the other hand, learned counsel for the informant as well as State submits that the petitioners are named in the F.I.R. and there is specific allegation that prior to the occurrence, the petitioners had threatened the informant that they would take stern action against his son as he used to disturb their ice-cream vans while charging.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the materials on record as also the statements of the witnesses recorded during course of investigation and the fact that the informant's son, while playing, came near the electric point and died due to electric shock, I am inclined to grant the privilege of anticipatory bail to the petitioners.

7. This application is, accordingly, allowed.

8. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Nawada in connection with Nardiganj PS case no. 242 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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