

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20123 of 2025

Arising Out of PS. Case No.-355 Year-2024 Thana- NAGAR District- Vaishali

1. Sanjiv Rai @ Sanjiv Kumar Son of Late Rajeshwar Rai @ Rajeshwar pd. Singh R/o Village -Minapur PS -Hajipur Dist. -Vaishali
2. Dablu Ray @ Amit Kumar Son of Late Rajeshwar Rai @ Rajeshwar Pd. Singh R/o Village -Minapur PS -Hajipur Dist. -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Kumar, Advocate
For the State	:	Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Hajipur Town P.S. Case No.- 355 of 2024, dated 27.05.2024 registered for the offences punishable under Section 304 read with Section 34 of the Indian Penal Code.

3. As per allegation, the victim/Jaynath @ Kail Rai was working as a labourer in the house of the accused persons. As per further allegation, the petitioners had laid naked electric wire around the agricultural field and when the victim went to work on the field, he died on account of electrocution. However,



after investigation, the accused persons were found to be innocent and hence, final form was submitted, dropping the proceeding against them. But later on, the case has been reopened for reinvestigation and they have apprehension of arrest in the case.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that they have nothing to do with the alleged offence. He further submits that the final form has been submitted and the petitioners are found to be innocent.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner No. 2 has no criminal antecedent, whereas petitioner No. 1 has one criminal antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that after investigation, the petitioners are found to be innocent and the matter is at the stage of re-investigation, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of



their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned Court below, in connection with Hajipur Town P.S. Case No.- 355 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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