

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27890 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- BELCHHI District- Patna

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Gautam Kumar @ Chunnu S/o Sri Naval Kishore Singh R/o vill - Jalalpur,
P.S. - Belchhi, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate

Mr. Ritwik Thakur, Advocate

Ms. Vaishnavi Singh, Advocate

Mr. Mudit Meet, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-08-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 105 of the
BNS.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that she along with her elder brother-in-law, Bablu
Yadav had gone to the mill of the petitioner for getting the
paddy thrashed. It is next alleged that the thrashing machine was
operated by a motor starter in which current used to pass, as



such, Gautam Kumar (petitioner) used wooden stick to start the motor. Further, alleges that on the date of occurrence, the petitioner asked Bablu Yadav to start the motor and the moment Bablu Yadav touched the motor, he received electric current, thus, fell on the motor and received injury and died during the course of treatment.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant alleging that on account of rash and negligent act committed by the petitioner, her elder brother-in-law died. It is further submitted that the villagers including the informant and her elder brother-in-law were aware that current passes through the motor, as such, the petitioner for starting the motor used wooden stick. It is next submitted that though it is alleged that it was at the instance of the petitioner that elder brother-in-law of the informant touched the motor on account of which he suffered electric current leading to his death but then it is submitted that the informant along with her elder brother-in-law had come for getting the paddy thrashed and the victim for switching on the motor touched the switch on account of which he received electric current. It is thus submitted that in the nature of allegation as alleged it cannot be



alleged that petitioner was harbouring any mens rea for committing the occurrence. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioner that petitioner was not harbouring any mens rea for getting the offence committed.

6. Considering the submissions made by the learned counsel for the petitioner, let 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 Belchhi P.S. Case No. 21 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. However, if the investigating officer of the case files an application before the learned trial court bringing to its



notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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