

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50278 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- RAXAUL District- East Champaran

Basant Sah @ Basant @ Basant Mistri S/O Late Rajendra Sah Resident of
Village - Amodei, P.s. - Ramgarhwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 19-12-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Raxaul Police Station Case No. 117 of 2025, dated 18.03.2025, disclosing offences punishable under Sections 105/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that co-accused Sunil Kumar Kushwaha and the petitioner called the son of the informant (now, deceased) for the purpose of electric connection, though the deceased has no such knowledge. The deceased used to work in the transformer factory of co-accused Sunil Kumar Kushwaha. On the assurance of the petitioner and co-accused Sunil Kumar Kushwaha that there is shut



down, the deceased and one Sanjay Sah caught the naked wire for the purpose of electric connection and got electrocuted and they were admitted in the S. R. P. hospital, where the son of the informant died. It is alleged that with conspiracy and planning the accused persons have killed the son of the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case with ulterior motive. He further submits that the petitioner is a Government Electrician and is in no way connected with the alleged offence. He further submits that the deceased was not engaged by the petitioner for the work of electric connection; rather, he was engaged by co-accused Sunil Kumar Kushwaha.
5. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation against the petitioner and he and co-accused Sunil Kumar Kushwaha, with conspiracy and planning, called the deceased for electric connection, without disconnecting the electric line, told him that line was cut, whereafter the deceased and one Ranbir Kumar Ram caught the naked wire and



got electrocuted and later on the deceased died.

- 6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the seriousness of the offence and the fact that there is direct allegation against the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail.
- 7. This application is, accordingly, dismissed.
- 8. However, if the petitioner surrenders before the learned District Court and files an application for grant of regular bail, the learned District Court will decide the same without being prejudiced by the rejection of the anticipatory bail application of the petitioner.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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