

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62389 of 2025

Arising Out of PS. Case No.-09 Year-2025 Thana- VAINI District- Samastipur

Shrawan Kumar Sahu Son of Raghunath Sahu Resident Of Andheri
Makanpur, P.S. -Bhalpatti, Dist. - Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anand Kr Singh, Advocate
		Mr. Rahul Kumar, Adv
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 2 12-09-2025 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in connection with Waini P.S. Case no.09 of 2025 registered under Sections 105, 3(5) of the Bhartiya Nayay Sanhita (B.N.S.).
3. As per the prosecution case as unfolded in the first information is that due to explosion in the boiler of an aluminum factory, some people have died while some people were injured. The police reached the place of occurrence and found the wall and shed of the factory badly damaged. It is further alleged that four labourers were injured and dead body of the two labourers were found under the debris.
4. Learned counsel for the petitioner submits that the



petitioner has been made an accused in this case merely on the ground that the the petitioner is the Manager of the said factory. However, it is submitted that the petitioner was only aiding in the operation of the factory and was not as such the Manager of the said factory and also he was not present at the place of occurrence at the relevant time. It has also been submitted that in any view of the matter, the occurrence is merely an accident and no intention of causing any injury or death of the deceased can be imputed. It has further been pointed out that owners of the factory namely, Om Prakash Sah and Dilip Kumar have already been granted the privilege of anticipatory of bail vide order dated 05.05.2025 passed by a Co-ordinate Bench of the Court in Cr. Misc. No. 26359 of 2025. It has further been submitted that the payments have also been made under the head of Work men's Compensation Act to the dependent of the deceased persons. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration aforesaid facts and circumstances of the case and also considering that the instant incident was an accident and may have some negligence on the



part of the petitioners, but further considering the fact that the co-accused persons have already been granted anticipatory bail and some compensation amount has also been awarded to the victims of the accident, it is directed that the petitioner above named, having no criminal antecedent in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Waini P.S. Case no. 09 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Samastipur, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the following conditions:-

(a) Petitioner shall co-operate in the investigation/ trial.

(b) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Soni Shrivastava, J)

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