

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 70953 of 2025

Arising Out of PS. Case No.-166 Year-2020 Thana- MADANPUR District- Aurangabad

Gaya Singh @ Gaya Prasad Singh S/O Late Mungeshwar Singh R/O Village-
Bara, P.S.- Madanpur, District- Aurangabad. At Present-R/O Mohalla-
Shahpur, Ward No. 27, P.S.- Aurangabad (T), District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate

Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 08-10-2025 Heard learned Senior Counsel for the petitioner
and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 304, 34 of the Indian Penal Code.

3. As per the FIR, the son of the informant was working under the Nal-Jal Yojna in village Bara for 20 days. On 25.07.2020, he was informed by his son's brother-in-law that his son had been electrocuted and admitted to a hospital, where he was found dead. The informant contacted contractor Ganesh Kumar, whose associate Vinod Kumar stated that his son had been electrocuted and admitted to the hospital. Upon visiting the site, the informant did not find anyone, leading him to suspect that his son was killed by electrocution.



4. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to an ulterior motive. He further submits that the petitioner is neither a contractor nor a worker. He is only a witness to the agreement, and further, the allegations are ornamental in nature. The petitioner is an elderly person suffering from age-related ailments, including heart problems. Lastly, it is submitted that the petitioner has one criminal antecedent.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the fact that there is no specific allegation attributed against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 C.J.M., Aurangabad/Successor Court in connection with Madanpur P.S. Case No.166 of 2020, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:



(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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