

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78123 of 2024

Arising Out of PS. Case No.-315 Year-2024 Thana- BELAGANJ District- Gaya

Shambhu Kumar @ Sambhu Kumar S/O Jagdish Sao Resident Of Village-
Balua, Ps Belaganj, District- Gaya, Bihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ruby Devi W/O Dipu Singh R/O Village Balua P.O Belhari P.S. Belaganj
Dist Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP
For the Informant : Mr. Nitya Nand, Advocate
Ms. Kumari Anjani Sinha, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 4 21-04-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.
2. The petitioner apprehends his arrest in connection
with Belganj P.S. Case no.315 of 2024 registered under section
304 of the Indian Penal Code.
3. As per the prosecution case, the informant states
that her husband was taken for work by the contractor Shambhu
Kumar, the petitioner herein, despite the fact that her husband
was refusing on the ground that there was severe heat. On the
same day at about 3:00 p.m., the informant got information that
her husband had fallen due to excessive heat and subsequently
died.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. It would be apparent from the F.I.R itself that there is no substantial allegation levelled against him. The matter only relates to taking a labour for work in heat conditions and the petitioner is nowhere responsible for the death of the deceased and the same had been admittedly caused due to excessive heat and hence no case is made out against him. He further submits that there was no work pressure on the deceased and the petitioner never compelled him to go for work. The petitioner has one criminal antecedent in which he is on bail. He undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the informant who submit that it was the petitioner who had taken the deceased for work in heat condition.

6. Considering the rival submissions of the parties, it is directed that the petitioner, above named, 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 Belganj P.S. Case no.315 of 2024 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
Chief Judicial Magistrate, Gaya, 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.

(Soni Shrivastava, J)

Harsh/-

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