

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1071 of 2025

Arising Out of PS. Case No.-152 Year-2024 Thana- GRIYAK District- Nalanda

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Pramod Mahto @ Pramod Kumar S/o Valeshwar Mahto @ Late Balle Mahto
R/o Vill.- Khirbhojna, P.O.- Naromurar, P.S. - warisaliganj, Distt.- Nawada,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Arun Bharti, Advocate
		Mr. Akashraj, Advocate
For the Opposite Party/s :		Mr. Surendra Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-01-2025 Heard Learned Senior Counsel for the petitioner and

Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Giryiak (Katrisarai) P.S. Case No. 152 of 2024 lodged on
27.04.2024, for the offences punishable under Sections 304 &
34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
two named accused persons including the present petitioner. As
per the allegation in the FIR, petitioner and one Gulshan Kumar
were engaged in fish farming and they had dug a pond and
electrified the surrounding fence. On 27.04.2024, Gulshan
Kumar went to the pond to touch the water, but the electric



current caused him to fall in and drown. His brothers, Pankaj Kumar and Ajay Kumar also fell into the pond in an attempt to save him. Thereafter, villagers disconnected the electricity and pulled all three out of the water, but subsequently, as they were brought to the hospital for treatment, Doctor declared them dead.

4. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Senior Counsel submits that from the allegation made in the FIR, it become crystal clear that there is lack of evidence and object to kill any one. Senior Counsel submits that petitioner with a view to save his pond from the outsiders, has flowed electricity in fencing wire but, unfortunately, due to unawareness and lack of precautionary steps taken by the petitioner, three persons died. Senior Counsel further submits that criminal antecedent of the petitioner is not clean as there are two criminal cases pending against him and in both the cases, he is on bail. The petitioner is in custody since 07.09.2024 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case,



let the petitioner above named be granted bail as well as on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below, and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Giriyak (Katrisarai) P.S. Case No. 152 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.

7. Pending cases against the petitioner are as follows:-
- Katrisarai (Giriyak) P.S. Case No.12 of 2022
 - Warisaliganj P.S. Case No.202 of 2018.

(Dr. Anshuman, J)

Divyansh/-

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