

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2648 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Munna Kumar S/o- Pramod Paswan Resident Of Village-Sultanpur, Ps-
Hajipur Industrail Area, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar

For the Opposite Party/s : Mr. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 19-02-2025 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 Industrial Area Police Station Case No. 94 of 2024, dated 05.08.2024, disclosing offences under Sections 105 of the Bharatiya Nyaya Sanhita and Section 6 of the Bihar Control of the User and Play Loudspeakers Act.
3. The prosecution case, as per the First Information Report, is that the petitioner is the owner of the DJ music system which came in contact with high tension wire of 11,000 volt due to which several persons died, the total number of persons, who died are nine and persons, who sustained injuries are three in numbers. At the time of occurrence the DJ was being played which was kept on a vehicle



attached with trolley. It has further been alleged in the First Information Report that the petitioner's DJ system was having 15 feet high bamboo upon which the loud speaker and other music equipments were tied causing contact with high tension wire.

4. Learned counsel for the petitioner submits that the petitioner is the owner of the DJ music system and he has not committed any offence intentionally. The allegation that the music system, loud speaker and other equipments were tied upon a bamboo having 15 feet height is not correct. Infact, the high tension wire was hanging lower than the prescribed height as per the rules. He next submits that in the accident the petitioner's driver and two staffs also lost their lives. He further submits that the petitioner is having necessary permission and license for the DJ music system.
5. I have heard learned counsel for the parties and have gone through the materials available on records, including the impugned order.
6. From the impugned order, it appears that the witnesses in their respective statements have said that the petitioner's DJ music system was having bamboo of about 15 feet



height upon which loud speaker and other music equipments, boxes, etc., were tied, which came in contact with the high tension wire and due to negligence of the petitioner the present occurrence has taken place.

7. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that during the course of investigation, prima facie it has come to light that the occurrence has taken place due to the fact that some equipments were tied with 15 feet long bamboo and deaths of several persons have taken place due to negligence, I am not inclined to grant the petitioner privilege of anticipatory bail.
8. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

