

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24851 of 2026

Arising Out of PS. Case No.-810 Year-2025 Thana- MASAUDHI District- Patna

Nageshwar Prasad Son of Chandeshwar Prasad @ Chandeshwar Singh
Resident of Village- Adalchak, P.S.- Masaurhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rikesh Sinha, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-07-2026 Heard Mr. Rikesh Sinha, learned counsel for the
petitioner and the learned APP representing the State.

2. The petitioner apprehends his arrest in connection with Masaurhi P.S. Case No. 810 of 2025 for the offence registered under sections 105, 3/5 of B.N.S, lodged on 10.10.2025 by the informant Udal Kumar.

3. As per the prosecution story, the informant alleged that his brother, Vinay Kumar went to the field to spray anti-insecticides to it. When he failed to return, they went to the field in search of him and found him in an unconscious state with an aluminum wire lying nearby. It was found that he was electrocuted and the entire left foot was burnt and this resulted into his death. The allegations is that this petitioner who was running the electric motor, had put an electric wire secretly from the transformer with which the deceased got electrocuted. This



led to the FIR.

4. Learned counsel for the petitioner submits that only on suspicion, his named has been dragged, the fact remains that there is no such case against him by the Power Holding Corporation. However, he do have one criminal antecedent vide Masaurhi P.S. Case No. 285 of 2020. The last submission is that the deceased being his co-villager, on his own would like to contribute Rs. 75,000/- to the widow/family irrespective of the fate of the present case and/or accepting any allegation by Demand Draft issued by the local branch of State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

5. Learned APP though opposes the prayer submitting that allegation is that he used live wire due to which electrocution of an innocent took place.

6. Having heard the parties, this Court takes note of the fact that though the allegation is there, it is matter of investigation, the petitioner himself has come forward to take care of the deceased family and in that background, this Court is inclined to grant him relief subject to payment of Rs. 75,000/- to the widow/family as has been undertaken by the petitioner as submitted by the learned counsel on the instruction by Demand Draft issued by the local branch of State Bank of India/any



Nationalized Bank to be submitted at the time of execution of bail bond and after checking credentials to be handed over to the deceased wife.

8. The petitioner shall enquire about the name of the wife of the deceased and the Demand Draft shall be prepared in the name of deceased's wife and/or his children and only in case, he was unmarried, the draft will go to the informant. Further, as submitted, the payment can be made in following terms:

(i) Rs.50,000/- at the time of execution of bail bond by Demand Draft;

(ii) Rs.25,000/- within a period of next two months and in no case beyond 20th September, 2026;

(iii) failure to pay rest of the amount, the informant shall be free to take steps for cancellation of bail bonds.

9. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Masaurhi, Patna in connection with Masaurhi P.S. Case No. 810 of 2025 subject



to payment of Rs.75,000/- to the widow/children as recorded in paragraph eight of the order condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner 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 bail bond by the Trial court itself;

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

(Rajiv Roy, J)

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