
(2021) 02 PAT CK 0155

In the Patna High Court

Case No : Criminal Miscellaneous No. 31650 Of 2020

Pramod Kumar Singh @ Pramod Singh

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 12-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 304, 504

Citation : (2021) 02 PAT CK 0155

Hon'ble Judges : Ahsanuddin Amanullah, J

Bench : Single Bench

Advocate : Viveka Nand Singh, Shailendra Kumar Singh

Final Decision : Dismissed

Judgement

1. Heard Mr. Viveka Nand Singh, learned counsel for the petitioner and Mr. Shailendra Kumar Singh, learned Additional Public Prosecutor

(hereinafter referred to as the APP) for the State.

2. The petitioner apprehends arrest in connection with Sabour PS Case No.83 of 2020 dated 17.03.2020, instituted under Sections 504, 304/34 of the

Indian Penal Code.

3. The allegation against the petitioner is that he had fenced his field with barbed wire and also electrified it and when the deceased went and touched

it, he became unconscious and when he was told to make arrangement for treatment, his family members refused and the deceased died.

4. Learned counsel for the petitioner submitted that there was no intention of any wrong doing and it was the fault on the part of the deceased, who

had touched the barbed wire. It was submitted that though there is allegation with regard to wire being electrified, but the police upon inspection of the

place of occurrence has not seized any electric wire which falsifies the prosecution case. It was submitted that the petitioner has no criminal antecedent.

5. Learned APP submitted that the Court below has clearly indicated upon perusal of the case diary that the deceased died upon coming in contact with live electric wire which clearly proves that the allegation is not false. It was further submitted that by electrifying the barbed wire, which is also illegal, he had put the life of humans and animals in real danger.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the Court below and prays for bail within four weeks from today, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.