

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29995 of 2015

Arising Out of PS.Case No. -248 Year- 2014 Thana -JALILGARH District- PURNIA

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1. Raghunath Roy Son of Karamchand Roy, Resident of Village Malpur,
P.S. Khushrupur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. B. N. Pandey, (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 28-07-2015 Heard Mr. Uma Kant Shukla, the learned counsel for

the petitioner and the learned Additional Public Prosecutor.

The petitioner apprehends his arrest in a case under

Section 302 and other sections of the Indian Penal Code.

The gist of the allegation is that the M.V. I. was

checking the vehicles but the petitioner who is the driver of a truck

bearing registration No. BR 11 S-4673 sped his truck on being

signaled to stop. The M.V. I. chased the truck and asked the

petitioner to stop but the petitioner dashed the jeep causing death

of the M. V. I. and other occupants of the jeep.

Mr. Uma Kanth Shukla, the learned counsel for the

petitioner, submits that the M. V. I. came in front of the truck of

the petitioner and that is why the accident took place. It is a pure

case of accident which comes under section 304A of the IPC but the FIR was lodged under section 302 and other sections of the IPC.

From perusal of the records, it appears that there is specific allegation that the petitioner on being signaled did not stop the vehicle and dashed the jeep of the M. V. I. causing his death and the death of other occupants. Hence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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