

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31285 of 2015

Arising Out of PS.Case No. -148 Year- 2014 Thana -BARAULI District- GOPALGANJ

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1. Kallu Mian @ Samsad @ Kallu Nausad @ Navsad Mian Son of Mainuddin Mian Resident of Village - Dhantoliya (Sareya Narendra), P.S. - Barauli, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Dikshit

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-10-2015

Heard both sides.

Petitioner apprehends arrest in a case registered for the offences punishable under sections 279 and 304 of the Indian Penal Code.

Petitioner is alleged to have dashed the motor cycle of son of the informant and consequently, son of the informant got injured and died during the course of treatment. The informant alleged that earlier petitioner had threatened to kill son of the informant. It is submitted that it is a case of motor accident and no offence under section 304 of the Indian Penal Code is made out rather at best it will be a case under section 304-A of the Indian Penal Code.

Considering the fact that petitioner had earlier threatened son of the informant to kill and subsequently petitioner dashed motor cycle of the son of the informant in which he died, I am not inclined to grant anticipatory bail to the petitioner in connection with Barauli P.S. Case No. 148/2014 pending in the court of the learned Chief Judicial Magistrate, Gopalganj. His prayer for anticipatory bail is, accordingly, rejected.

(Prabhat Kumar Jha, J)

Amin/-

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