

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10360 of 2015

Arising Out of PS.Case No. -197 Year- 2014 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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1. Nand Kishore Mishra Son of late Brahmdeo Mishra resident of village-
Kotwa, P.S., Paharpur, District- East Champaran..

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s Mr. R.N. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 26.06.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner is not named in the first information report but during course of investigation, he himself claimed before the Investigating officer that truck in question was being driven by him which is evident from perusal of para 43 of the case diary.

The contention on behalf of the petitioner is that even if the prosecution story assumed to be true, then also, only case under section 304A of the Indian Penal Code is made out.

Regard being had to the facts and circumstance as well as submissions of the parties, I am not inclined to grant the privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail in connection with Govindganj P.S. case no. 197/2014 pending in the court of the Sub divisional Judicial Magistrate, Sadar, Motihari stands rejected.

However, this order shall not cause any prejudice to the concerned court at the time of consideration of regular bail application of the petitioner.

shahid

(Hemant Kumar Srivastava,J)

