

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38534 of 2015

Arising Out of PS.Case No. -147 Year- 2015 Thana -KATIHAR District- KATIHAR

Shivendra Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. U.L.Verma (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 22-12-2015 Heard learned Counsel for the petitioner and learned
Counsel appearing on behalf of the State.

Petitioner is apprehending his arrest in connection with
Katihar (Sahayak) P.S. Case No. 147 of 2015 registered for
offences punishable under Section 341, 323, 302, 385, 504 and
506/34 of the Indian Penal Code.

Learned Counsel for the petitioner submits that the
present FIR has been lodged against the petitioner as the
petitioner who was found to be riding a Motorcycle which
accidentally hit the deceased who succumbed to his injuries soon
thereafter. Learned Counsel for the petitioner further submits that
on enquiry the present case has been found to be a case of
accidental death and, therefore, the investigation authority had
directed that the case be registered under Section 304(A).

Considering the nature of allegations made and also that if the case has been found to be one of on which the deceased died due to rash and negligent driving and that it was not a deliberate act on the part of the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar (Sahayak) P.S. Case No. 147 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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