

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28545 of 2015

Arising Out of PS.Case No. -492 Year- 2013 Thana -SAKRA District- MUZAFFARPUR

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Shashi Ranjan Kumar Sharma @ Chunnu Sharma @ Shashi Ranjan
Sharma, son of late Shambhunath Thakur, resident of village - Khaspati
Yadunathpur, P.S. - Sakra, District - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Smt. Pushpa Sinha 2(App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 10-08-2015 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence
punishable under Section 302 of the Indian Penal Code.

The allegation is that the deceased was called by the
petitioner and he was, later on, seen travelling on the tractor.
Thereafter, the informant got information that his brother met with
an accident and saw the deceased and the petitioner was not present
at the place of occurrence. It has further been alleged that the
petitioner has got served liquor to the deceased and crushed him by
driving the tractor rashly and negligently, which caused his death.

It is submitted that it appears that the informant is not the
eye witness to the occurrence. At best, the case comes under the
purview of Section 304A of the Indian Penal Code. There was no

allegation that the petitioner had any intention to cause the death of the deceased. However, after investigation, charge sheet has already been submitted and there is no chance of tampering with the witnesses. The petitioner is in custody since 5.04.2014 having no criminal antecedent.

Considering the facts and circumstances of the case, let the above-named petitioner be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in Sakra P.S. Case No.492 of 2013 with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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