

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11009 of 2016

Arising Out of PS.Case No. -159 Year- 2015 Thana -DHARHARA District- MUNGER

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1. Kalicharan Mandal Son of Bharat Mandal Resident of village - Heru
Diara Kali Asthan, P.S. Naya Ram Nagar/Safiabad, O.P District - Munger
..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rekha Prasad

For the Opposite Party/s : Mr. Harendra Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-04-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Dharhara
P.S. Case No. 159 of 2015 registered for the offence punishable
under Section 304 of the Indian Penal Code.

Allegedly, the truck bearing registration no. WB23A-
9181 which was being driven by the driver rashly and negligently
dashed several persons at different places causing death of five
persons and further seriously injuring three persons. During
investigation it reveals that it was the petitioner who was driving
the said truck.

Submission is of false implication and that the petitioner
is not named in the first information report, there is no legal and
cogent material against the petitioner, witness Kishori Prasad

Yadav and Sakaldeo Yadav have taken name of the petitioner and his father due to enmity, the petitioner is suffering in custody since 25.10.2015 and as such he deserves sympathetic consideration to which the learned APP seriously opposes.

In the facts and circumstances stated above, considering the statement of the witnesses who have identified the petitioner driving the said truck in drunken condition dashing several persons and killing five of them, at present, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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