

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22550 of 2016

Arising Out of PS.Case No. -124 Year- 2015 Thana -SHERGHATI District- GAYA

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Ajay Kumar Son of Shiv Prasad, Resident of Ramna (Sherghaty) P.S.
Sherghaty District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Adv.

For the Opposite Party/s : Mr. Ahmad Ali(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sherghaty P.S.
Case No. 124/15 registered for the offence punishable under Section
304 of the Indian Penal Code.

Allegedly, the petitioner driving Bolero vehicle started
fleeing away speedily and crushed Mokiman Bibi the mother of
informant. She died in the way to hospital

Submission is of false implication and that due to hue and
cry the petitioner moved the vehicle from that place resulting the
mother of the informant was dashed accidentally and she succumbed
to the injuries. From post-mortem report it appears that the injuries
were not caused intentionally, the petitioner without any fault is

suffering in custody since 11.01.2016. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence. The petitioner voluntarily surrendered and in inquest report the cause of death is mentioned due to accident.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above considering that there is no chance of tampering with the prosecution evidence, the petitioner above-named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-divisional Judicial Magistrate Sherghaty (Gaya) in connection with Sherghaty P.S. Case No. 124/15, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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