

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4127 of 2016

Arising Out of PS.Case No. -82 Year- 2015 Thana –NIMCHAK BATHANI District- GAYA

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Rahul Yadav @ Raju Kumar, son of Munni Yadav, Resident of village-
Bathani Tola Jai Nandan Bigha, P.S.- Nimchak Bathani, District- Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 08-04-2016 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 302/120B/34 of the
Indian Penal Code.

It is contended on behalf of the petitioner that it is
apparent from the materials collected in course of investigation
that it is a case of negligent driving causing death of the deceased
as all the witnesses have stated that the petitioner was driving the
vehicle in a negligent manner and, as such, at best, provision
contained in Section 304 (A) of the Indian Penal Code would be
attractable in the matter.

Having regard to the facts and circumstances of the
case, let the petitioner, namely, Rahul Yadav @ Raju Kumar be

released on anticipatory bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Nimchak Bathani P.S. Case No.82/2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Gaya subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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