

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29421 of 2016

Arising Out of PS.Case No. -364 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

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Harendra Yadav @ Ravi Kumar @ Ravi Kumar Saksena, S/o Late Gopal
Yadav, R/o Saren, P.S.- Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 02-09-2016 Heard the counsel for the petitioner and the State.

The petitioner is facing prosecution in Makhdumpur
P.S. Case No. 364 of 2015 registered under Sections 279, 337,
307 of the Indian Penal Code.

While the informant was going to his house on a
motorcycle, in the meantime, the petitioner and some unknown
persons boarding on marshal vehicle dashed against the
motorcycle as a result whereof he sustained injuries.

It is submitted that even going through the F.I.R., a
case under Section 307 of the Indian Penal Code is not made out.
It was at best a case of rash/negligent driving. The petitioner is
an army personnel.

Learned APP opposed the prayer and submitted that

the informant in course of the occurrence received injuries. In course of investigation, some witness have supported the case.

Be that as it may, looking to the nature of the allegation and other facts reflected from the record including the impugned order, I am inclined to extend the privilege of anticipatory bail to the petitioner.

Let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sri Ramayan Ram, Chief Judicial Magistrate, Jehanabad P.S. Case No. 364 of 2015 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that one of the bailors shall be his own/close family member. The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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