

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7132 of 2016

Arising Out of PS.Case No. -299 Year- 2015 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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GHANSHYAM SINGH @ ASHUTOSH KUMAR @ ASHUTOSH
KUMAR SINGH son of Ramautar Singh, resident of Village- Patoria, P.S.-
Katrisarai, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-03-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 341, 323, 324, 325, 307 and 302/34 of the Indian Penal Code.

Allegation against the petitioner is that due to dispute petitioner pushed informant, as such, he fell on the ground. The tractor driver of the petitioner drove vehicle rashly and negligently upon him (informant) and as a result informant's both legs were crushed and later on amputated.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. The alleged occurrence is said to have taken place on 7.12.2015 and F.I.R. was instituted on 15.12.2015. The delay has not been explained by the prosecution. As per F.I.R., injury is said to have been sustained by the deceased due to rash and negligent driving of the tractor by other co-accused. There is no injury attributed against this petitioner. At best, it is a case for offence under Section 304 Part-II of the Indian Penal Code.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Giriyak (Katrisarai) P.S. Case no. 299 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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