

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4022 of 2017

Arising Out of PS.Case No. -81 Year- 2016 Thana -KHODABANDPUR District- BEGUSARAI

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Pankaj Kumar Sahani @ Pankaj Kumar, Son of Sri Binu Sahani, resident of
village- Bara, P.S. - Khodawanpur, District- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Sr. Advocate
Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Madhura Nand Jha, APP-102

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 03-04-2017 Heard learned Sr. Counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Khodabandpur P.S.
Case No. 81 of 2016 registered for the offence punishable under
Sections 302/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused were snatching
the ornaments from Sangetta Kumri, the daughter of the informant, and
all were catching hold her and the petitioner gave stone blow on the
chest of the deceased causing her death during treatment. It is alleged
that to grab the land, house, Bolero vehicle and Bullet the murder has
been committed.

Submission is of false implication and that during investigation
it has come that the petitioner was driving the Bolero vehicle in the
back gear and dashed the door causing breakage and further dashed
Sangeeta Devi causing serious injury to her, no offence under Section



302 IPC is made out and it is a case under Section 304A IPC as deceased died due to accidental death.

Learned APP opposes the prayer of bail by submitting that during investigation the informant and other witnesses have supported the allegation whereas other witnesses have stated that the petitioner dashed the deceased with vehicle causing injury to her who later on died during treatment.

In the facts and circumstances stated above, chargesheet has already been submitted and 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 learned Sub-Divisional Judicial Magistrate, Manjhaul in connection with Khodawandpur P.S. Case No. 81 of 2016, 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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