

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38290 of 2017

Arising Out of PS.Case No. -250 Year- 2016 Thana -KARAHGAR District- SASARAM (ROHTAS)

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1. Bansh Narayan Yadav Son of Late Rang Nath Yadav, R/o Village+P.O.-
Badhari, P.S.- Karaghar (Badhari O.P.), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kanhaiya Pandey, Advocate

For the Opposite Party/s : Mr. Ataur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 18-08-2017 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner apprehends his arrest in connection with
Karaghar (Badhari O.P.) P.S. Case No. 250 of 2016 registered for
the offences punishable under Sections 279, 304(A) of the IPC.

It has been alleged that the driver of the bus by driving the
City Ride Bus bearing no. B.R. 24E 0811, negligently caused
accident as a result of which the father of informant sustained
grievous injury and died.

Learned counsel for the petitioner submits that the alleged
accident took place on 10.11.2016 and the case has been filed
after 14 days from the date of occurrence. He further submits that
the petitioner is neither the owner of the vehicle nor the driver.



Learned Additional Public Prosecutor opposed the aforesaid submission.

On perusal of the FIR, I find that there is delay of unexplained 14 days of lodging the FIR and the death of father of informant took place after four days from the date of occurrence.

Considering the facts and circumstances, as stated above, this application is allowed.

Let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas, Sasaram in connection with Karaghar (Badhari) P.S. Case No. 250 of 2016, subject to the condition as laid down under Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

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