

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63708 of 2017

Arising Out of PS. Case No.-186 Year-2017 Thana- KAMTAUL District- Darbhanga

Lal Babu @ Lal Babu Das S/o Dinesh Das, R/o Village- Shivdaha, P.S.-
Gayaghat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-02-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner seeks bail in connection with Kamtaul
P.S. Case No. 186 of 2017 registered for the offence punishable
under Sections 279, 337, 338 and 304A of the Indian Penal
Code. Later on, Section 304 of the Indian Penal Code was also
added.

The prosecution case, as lodged by the informant, is
that he along with his wife and six months old daughter had
gone to see flag hoisting with his co-villager Rajesh Mahto and
his wife and while returning on foot, a motorcycle dashed them,
as a result, his wife while being taken to hospital died and his
child and co-villager Rajesh Mahto also sustained injuries.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent and has not committed any offence. It was a sudden road accident for which the petitioner is languishing in judicial custody since 30.10.2017. He submits that charge-sheet has already been submitted and he undertakes to cooperate with the investigation/trial.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. Case No. 186 of 2017, subject to the conditions that

(1) Both the bailors would be close relative of the petitioner having sufficient immovable properties, who will file affidavit stating their relationship with the petitioner

(2) The petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates



without assigning any reason will entail
cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

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