

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22133 of 2018

Arising Out of PS.Case No. -333 Year- 2017 Thana -SAHPUR District- BHOJPUR

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1. Jitendra Yadav @ Bail Yadav, Son of Nand Kumar Yadav, Resident of
Village - Itwa, Police Station - Shahpur, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Pratap Singh

For the Opposite Party/s : Mr. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 30-07-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 307 and 302/34 of the Indian
Penal Code.

According to FIR, the petitioner was driving a
Bolero vehicle and dashed against a motorcycle on which two
persons were travelling. One died at the spot and another sustained
injury. The old dispute is reason for intentional causing injury and
death by dashing the victim with the vehicle.

During investigation, it revealed that some of the
witnesses stated that the quarreling was there between the two on the
occasion of watching a dance party, whereas some other witnesses
stated that for dispute relating to playing cricket, the enmity was
there between the two. However, no substantial material has come on



the record to substantiate strong motive against the petitioner for commission of murder.

Submission of the learned counsel for the petitioner is that petitioner is in custody since 11.12.2017. The matter may be a case of accidental death due to rash and negligent driving for which the petitioner has sufficiently been punished.

Learned counsel for the informant opposed the prayer for bail on the basis of material coming in the case diary as discussed above.

Considering the entire facts, let the petitioner, above named, be released on bail **on completion of nine months of custody** on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Shahpur Police Station Case No. 333 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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