

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46649 of 2018

Arising Out of PS.Case No. -217 Year- 2009 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Sanjay Rai @ Sanjay Kumar Rai, S/o Late Genda Rai @ Gena Lal Ray,
R/o Village Rampur Shyamchand, P.S.- Raghapur, Dist- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 14-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case initially registered under
Sections- 279, 304A of the Indian Penal Code in which, later on,
Sections-364, 302, 201, 120B/34 of the Indian Penal Code was
also added.

The prosecution case, in brief, is that a dead body was found
lying on the road on account of accident at Belwa Harpur Village.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 27-03-2018 and there is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has been made accused in this case due to mistake of
fact. It is a case of accident, for which, the case was instituted for



an offence under Section 304A of the Indian Penal Code. Later on, after a lapse of four months, Sections-364, 302, 201, 120B/34 of the Indian Penal Code was also added on the application submitted by the I.O. There is no eye witness to the alleged occurrence nor there is any other substantial evidence to suggest the implication of the petitioner in the present case. The other co-accused namely, Paras Rai @ Gagan Rai has been granted bail by learned court below itself.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 217 of 2009.

(Sudhir Singh, J)

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