

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12452 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -BHAGALPUR KOTWALI District -
BHAGALPUR

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Ram Kumar Sharma @ Ram Sharma, son of Sita Ram Sharma, resident of
Mohalla M.P. Dwiawedi Road, near Sani Mandir Road, Aatma Ram
Medical Gali at present Goraiya Sarai Gold Road, P.s. Kotwali, District
Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-02-2018 Petitioner apprehends his arrest in connection with

Kotwali P.S.Case No. 22 of 2018 registered under Sections 304
and 288/34 of the Indian Penal Code.

Allegation as per FIR is that while removing garbage
from the plot through JCB machine wall of the informant
collapsed causing injury to his wife and she succumbed to the
injuries.

Submission of learned counsel for the petitioner is that
neither he is driver of the said JCB machine nor contractor for the
said work, rather he is an Advocate practicing in Civil Court.

Heard learned APP and learned counsel for the
informant. They have opposed the prayer for anticipatory bail on
the ground that informant earlier objected to the said work but in



spite of that the petitioner, who is a contractor, has got the said work done and due to which wife of informant succumbed to the injuries.

Having heard both sides and in view of facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali P.S.Case No. 22 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that (1) one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and (2) petitioner shall co-operate in investigation and appear before the Investigating Officer as and when required, except on genuine ground, failing which his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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