

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55069 of 2017

Arising Out of PS.Case No. -149 Year- 2017 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

=====

1. Bipin Bihari Bajpayee, S/o Sri Yamuna Bhagat, resident of village-
Bhagwanpur Pakari, P.S.- Lalganj, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Tiwary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 06-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Bhagwanpur P.S. Case No.149 of 2017** instituted for the offence under Section(s) 279, 337, 338, 304-A and 304 Indian Penal Code pending in the Court of the 2nd **Additional Chief Judicial Magistrate, Vaishali at Hajipur.**

It is alleged in the *fard-e-beyan* by the informant that when he was standing in front of his house, one TATA MAGIC vehicle came being driven rashly and negligently by the petitioner and dashed the son of the informant, Sonu Kumar, aged about 15 years as well as informant and one Devendra Rai. The informant and Devendra Rai sustained injuries. Son of the informant, Sonu Kumar, sustained serious injury on his face and



head as the vehicle ran over his face. Son of the informant subsequently died.

The Sessions Judge has mentioned in the impugned order that vehicle was not even insured.

Learned APP has submitted that the informant was standing near his house, which was not the public road. Learned APP has further submitted that injuries have been sustained by informant and his relative Devendra Rai also.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is **rejected**.

Petitioner may surrender before the Court below within a period of four weeks from the date of receipt of the order and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order, preferably, on the same day.

(Sanjay Priya, J)

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