

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19917 of 2019**

Arising Out of PS. Case No.-94 Year-2018 Thana- MAGADH UNIVERSITY District- Gaya

Md. Jawaid Khan Son of Md. Islam Khan, Resident of Village- Kukurman
Pratappur, P.S.- Chatra District-Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad
For the Opposite Party/s : Mr. Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 01-04-2019 Heard both sides.

The petitioner apprehends his arrest in Magadh University P.S. Case No.94 of 2018 registered under Sections 428, 429, 34, 120B, 307, 379, 420, 295A, 186, 189, 336, 413, 414 of the Indian Penal Code and under Sections 11(1)a, b, d, e, h, k, l of Essential Commodities Act and under Sections 47, 48, 49, 50, 51, 52, 54 and 56 of the Transportation of Animal Rule and under Section ¾ of the Bihar Prevention and Improvement of Animal Act and under Section 125(e) of Central Motor Vehicle Rule and under Section 8(B) of National Highway Act.

The gist of the allegation is that the petitioner was carrying 32 bulls and a buffalo on his truck. When the petitioner was asked to stop the truck, the petitioner drove away the vehicle rashly and negligently and dashed one motorcyclist and a car



and thereafter also dashed the house and fled away from the place of occurrence.

Learned counsel for the petitioner submits that the petitioner has been driving the vehicle for the last 22 years but petitioner is not an accused in any case of rash and negligent driving. The petitioner ran away in order to save his own life, but it appears that when the petitioner was asked to stop the vehicle, the petitioner started driving the vehicle rashly and negligently. Consequently, the petitioner dashed the motorcyclist and a car and only thereafter the petitioner fled away after dashing his tuck in a house.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Harish/-

U		T	
---	--	---	--

