

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13905 of 2019

Arising Out of PS. Case No.-158 Year-2018 Thana- IMAMGANJ District- Gaya

RAKESH KUMAR PASWAN @ RAKESH PASWAN, Son of Shiv Kumar Paswan, Driver of Borewell Truck bearing No. JH-02D-8429, R/o village-Govindgarh, Kobna, P.S- Hunterganj, District- Chatra (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-03-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with Imamganj P.S. Case No. 158 of 2018 registered for the offences punishable under Section 304/34 of the Indian Penal Code.

The allegation against the petitioner is that while driving the borewell truck he had dashed the bicycle of the daughter of the informant. It is alleged that after dashing the truck, driver increased the speed of the truck due to which the back wheel of the said truck rode on his daughter leading to her death.

The plea of the petitioner is that there was no fault on



the part of the petitioner. The daughter of the informant was going to a wrong direction and it was because of her mistake the accident took place.

Learned APP for the State is present and has opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case wherein this petitioner is said to have increased the speed of the vehicle and thereby caused death of the daughter of the informant, I am not inclined to grant anticipatory bail to the petitioner.

In case, the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, the same shall be considered on its own merit without being prejudiced by the order of this Court and the same shall not be rejected only because this Court has refused to grant anticipatory bail to the petitioner.

(Rajeev Ranjan Prasad, J)

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