

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15155 of 2019

Arising Out of PS. Case No.-333 Year-2018 Thana- TAJPUR District- Samastipur

1. Prabhat Kumar, son of Chandra Shekhar Ray @ Chandewar Ray, resident of Village- Kasba Ahar, P.S.- Tajpur, District -Samastipur.
2. Gul Bachan Paswan, son of Nagendra Paswan, resident of Village- Vikhanpura, P.S.- Ahiapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-03-2019 The petitioners seek bail in anticipation of their arrest in connection with Tajpur P.S. Case No. 333 of 2018 instituted for the offences under Sections 341, 323, 379, 427, 34 of the Indian Penal Code and Section 37(C) of the Bihar Prohibition & Excise Act, 2016.

From the reading of the F.I.R, it appears that somehow or other, an accident between the truck on which the petitioners were sitting and a Maruti vehicle could be averted. When the owner of the Maruti vehicle tried to question the driver of the truck about his faulty driving, the owner as well as the driver of the Maruti vehicle were



assaulted by the petitioners.

The petitioners, however have stated that in fact, no accident took place and it was on account of timely applying of brakes by the driver of the truck that the accident could be averted. In fact, the Maruti vehicle had swerved in the zone of the truck which was being driven on one side of the road.

In any view of the matter, it appears that driver of the truck was taken into captivity by the local people and was sent to jail for being drunk.

Nothing has been alleged against the petitioners except for their making attempts at injuring/hurting the informant, who is the owner of the Maruti vehicle and his driver.

Considering the nature of accusation against the petitioners, they, in the event of their arrest or surrender before the Court below within a period of four weeks from today, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of



learned Special Judge, Excise Act-cum-Additional District
Judge, 3rd, Samastipur in connection with Tajpur P.S. Case
No. 333 of 2018, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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