

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50756 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- THAKRAHA District- West Champaran

LAL BABU YADAV Son of Late Bachcha Yadav @ Bacha Resident of
Village - Motipur, P.S.- Thakaraha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-11-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Thakaraha P.S. Case No. 41 of 2019 for the offence registered under Sections 279, 335, 337, 338 and 308 of the Indian Penal Code.

The case of the prosecution is that the informant was having enmity with the petitioner and the petitioner is said to have been driving a truck on the alleged date and time of occurrence and he is said to have intentionally committed accident resulting in the truck hitting the informant whereafter the informant is said to have been injured seriously and then the informant is said to have fled away with the truck.

The learned counsel for the petitioner submits that



the petitioner has been falsely implicated in the present case on account of previous enmity in between the petitioner and the informant, however, the fact is that the truck does not belong to the petitioner and there is no material on record to connect the petitioner, either with the alleged crime or with the truck in question, hence the entire allegation of the informant is concocted. The petitioner is said to be having a clean antecedent.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Thakaraha P.S. Case No. 41 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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