

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78408 of 2018

Arising Out of PS. Case No.-365 Year-2018 Thana- SUPAUL District- Supaul

Kamal Kishore Patel S/o Vikram Ray, resident of Village- Baruari, P.S. & District- Sapaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Goutam, Advocate

For the Opposite Party/s : Dr.Smt. Indihar Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-01-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with S.T, Excise No. 470 of 2018 arising out of Supaul P.S.Case No. 365 of 2018, registered for offenses punishable under Sections 279 and 304A of the Indian Penal Code and under Sections 37 (a), (b) and (c) of the Bihar Prohibition of Excise Act, 2016.

As per F.I.R., allegation against the petitioner is that while the father of the informant was coming to his house, a Tata A.C.C. vehicle dashed him, causing death. It is further alleged that the driver of the vehicle was arrested in drunken condition and the petitioner is named in the F.I.R. and he is said to be owner of the vehicle.

Submission of the learned counsel for the petitioner is



that there is no allegation against the petitioner rather the driver was in drunken condition and due to that the accident was occurred, causing the death of the father of the informant.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Supaul S.T. Excise No. 470 of 2018 arising out of Supaul P.S. Case No. 365 of 2018, to the satisfaction of learned Additional District and Sessions Judge- II-Cum- Special Judge, Excise, Supaul, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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