

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13561 of 2020

Arising Out of PS. Case No.-262 Year-2019 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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MOHAN SHARMA S/o- Ramsevak Sharma Resident of Village- Durwey
Bengali Bigha, P.S.- Chandauti, District- Gaya. Driver of Truck No. HR-38-
7870.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 279, 337, 338 and 304 of the
Indian Penal Code and Section 37(1) of the Bihar Prohibition
and Excise Act, 2016.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
petitioner happens to be driver of the alleged truck and he
has not dashed the motorcycle of the husband and children
of the informant. The petitioner is rotting in judicial custody
since 13.11.2019.



Learned A.P.P. for the State has opposed the prayer for bail and submitted that the petitioner was the driver of the truck and he was in drunken condition while he was driving the truck and due to his negligent driving the husband and children of the informant died. The witnesses have supported the prosecution version which is evident from the case diary.

Considering the facts and circumstances of the case, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Arvind Srivastava, J)

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