

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18462 of 2021

Arising Out of PS. Case No.-234 Year-2019 Thana- BHANGWANPUR HAT District- Siwan

SHATRUDHAN KUMAR @ SHATRUGHAN KUMAR SON OF SITA PAL
R/O KARORICHAK NEAR DURGA MANDIR, P.S.- PHULWARI, DIST.-
PATNA

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jainendra Kumar Pushkar

For the Opposite Party/s : Mr. Bisheshwar Ram

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 08-03-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Bhagwanpur Hat P.S. Case No. 234 of 2019, registered for the of-
fences punishable under Sections 279, 304 (A), 379 of the Indian Pe-
nal Code.

Nityanand Chaurasiya is the informant. As per allegation,
he along with his brother Ajay Kumar Chaurasiya have hired a
Bolero pick up van and by that pick up van they were traveling. The
van was being driven by the present petitioner. As per allegation, the
petitioner dashed the Bolero pick up van with a truck resulting
whereof the brother of the informant died at the spot. The further al-
legation against the petitioner is that he fled away with a bag contain-



ing Rs. 1,80,000/- which was in possession of the deceased Ajay Kumar Chaurasiya.

Learned counsel for the petitioner has submitted that all the sections are bailable except 379. He has further submitted that in paragraph Nos. 6 and 7, the independent witnesses have stated that the cash and the packet which was in the hand of the deceased was handed over to the informant.

Learned counsel for the petitioner has further submitted that the informant himself has misappropriated the money and has falsely implicated the present petitioner.

Considering the statements of witnesses in paragraph Nos. 6 and 7 of the case diary, let the petitioner, in the event of his arrest or surrender, be released on anticipatory bail within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Second Class, Siwan in connection with Bhagwanpur Hat P.S. Case No. 234 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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