

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29438 of 2022

Arising Out of PS. Case No.-469 Year-2021 Thana- SARAIYA District- Muzaffarpur

Jitendra Kumar Son Of Shri Asharfi Sah R/O Mohalla - Raipatti, P.O. And
P.S.- Dighwara, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 279, 304, 308, 427 of the Indian Penal Code.

The present case has been registered against the driver of Truck bearing Registration No. BR-06G-4269 on the basis of written complaint of the informant, who has alleged that the aforesaid truck came in a high speed being driven in a rash and negligent manner and dashed the children, at door, as a result 6 children along with the son of informant died on the spot. It is also alleged that the daughters of informant sustained injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence in the



manner as alleged. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer of the petitioner for anticipatory bail and submitted that the petitioner has committed a heinous crime and due to negligent driving of the petitioner, six children lost their lives in this case.

Considering the above-stated facts, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the concerned Court on its own merit without being prejudiced by the order of this Court.

(Sunil Kumar Panwar, J)

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