

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30367 of 2022

Arising Out of PS. Case No.-84 Year-2019 Thana- BEERPUR District- Begusarai

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ASHISH SINGH @ ASHISH ANAND @ RAJA @ RAJA SINGH @
ASHISH SINGH RAJA Son of - Gopal Singh Resident of - Ward No. 2,
Babhangama, babhanganwan, P.S.- Birpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 16-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for grant of
regular bail in a case registered under sections 302 and 34 of the
Indian Penal Code.

The earlier application for bail of the petitioner was
rejected vide order dated 8.2.2022 passed in Cr. Misc. no. 34321
of 2021.

As per the prosecution case, the four named accused
persons including the petitioner herein are said to have come on
their scorpio vehicle. There was confrontation between the two
groups after which it is stated that the accused persons went
away and soon thereafter returned in their vehicle. As a result of



rash driving, it is stated that they crashed their vehicle into persons standing near the tobacco shop as a result of which two persons died on the spot. It later transpired that it was the petitioner who was driving the vehicle.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case and has not been named as the driver of the vehicle. The subsequent statements recorded in course of investigation is an after thought. The petitioner is in custody since 6.3.2021 and there is no progress whatsoever in the case in the learned trial court.

A report was called for from the learned trial court. As per the report received contained in letter dated 23.8.2022 of the learned Incharge Judicial Magistrate, 1st Class, Begusarai, cognizance was taken in the case on 18.8.2021 and the case is fixed for appearance.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner, the petitioner having remained in custody since 6.3.2021 ie for 1 year 8 months and there being no progress in the case in the learned trial court wherein not one witness has been examined on behalf of the prosecution, the petitioner is directed to be enlarged on bail in connection with Birpur P.S. Case no. 84 of



2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Begusarai.

(Partha Sarthy, J)

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