

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33089 of 2022

Arising Out of PS. Case No.-267 Year-2019 Thana- JANDAHA District- Vaishali

VIVEK KUMAR RAI @ VIVEKANAND RAI Son of Satya Narayan Rai
Resident of Village - Karnauti, P.s.- Mahnar, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-10-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 279, 337, 338, 302/34 of the Indian Penal Code.

As per the prosecution case, while the elder son of the informant alongwith others were returning from Rausulpur on motorcycle after participating in birthday party and reached near Tara Chowk, four persons boarded on Fortuner vehicle spitted on him and on protest, they intentionally dashed his motorcycle, in which, son of the informant Madhukar Kumar got serious injury on his head and on way to hospital, died.

It is submitted on behalf of petitioner that entire allegation is false and fabricated. In fact, petitioner was not present at the place of occurrence and police after investigation found the case true under Section 79 & 304 of the I.P.C. against



the driver of the vehicle (Fortuner). Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Vaishali at Hajipur in connection with Jandaha P.S. Case No. 267 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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