

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48257 of 2021**

Arising Out of PS. Case No.-104 Year-2021 Thana- BUNIYAD GANJ District- Gaya

Jay Prakash Kapadiya S/O Kamleshwar Kapadiya R/O Village-Jagdishpur,
P.S-Sokhpura, District-Baliya (U.P.)

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For The Petitioner/S

:Mr.Sunil Kumar Yadav, Advocate

For The Opposite Party/S

:Mr.Mohammed Arif, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 20-01-2022 Heard learned counsel for the petitioner, the State and
perused the case diary.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 279, 304(A) and 338 of the Indian Penal Code and section 37(2) of the Bihar Prohibition and Excise Act.

Petitioner is alleged to have dashed his motorcycle to the informant's brother in drunken state causing his death on the spot.

Learned counsel for the petitioner submits that the petitioner never dashed his motorcycle to the victim rather it was the victim who due to negligence fell down on the road and died of injuries. Petitioner has claimed clean antecedent and he is in custody since 28.6.2021.



Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, 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 the Additional Sessions Judge II cum Special Judge, Excise Act, Gaya in Buniyadganj Police Station Case No. 104 of 2021.

(Prabhat Kumar Singh, J)

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