

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51327 of 2022

Arising Out of PS. Case No.-79 Year-2022 Thana- SANDESH District- Bhojpur

Govind Singh S/o Late Jagdish Singh Resident of village- Repura, P.S.-
Sandesh, District- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-12-2022 Heard learned counsels for the petitioner and the
State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Section 304 of Indian Penal Code.

As per prosecution case, this petitioner pressurized the
husband of the informant to drive the tractor as a result of which
the tractor met with an accident and husband of the informant
died on the spot.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present case
and no offence under Section 304 of the Indian Penal Code is
made out against him as there is no deliberate act to show that
the alleged act was committed by the petitioner. In fact, it was
the husband of the informant who voluntarily chose to drive



which led to an unfortunate accident of the tractor in question. Furthermore, F.I.R. has been lodged after a delay of 4 days and there is no explanation for the same. Petitioner has got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Judicial Magistrate, 1st Class, Bhojpur at Ara in Sandesh P. S. Case No. 79 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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