

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69410 of 2021

Arising Out of PS. Case No.-119 Year-2021 Thana- PUNAURA District- Sitamarhi

Md. Moti Sah S/o Amin Sah Resident of Talkhapur, Ward No. -08, P.S.-
Punaura, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Punaura P.S.
Case No. 119 of 2021 registered for the offence under Sections 279,
304, 337, 338, 427 and 429 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.09.2021.

The allegation against the petitioner is to cause death of
three innocent children, while driving truck rashly and negligently.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner is a holder of valid driving license. It is
submitted that the speed of the truck, at the time of occurrence, was
very normal and as it was raining and the soil of the side of road was



wet, the unfortunate accident was met with causing death of three innocent children, which is purely an accident, where petitioner having of no intention to cause any culpable homicide. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as petitioner is a holder of valid driving license, where occurrence appears on its face as accident due to rainy season coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Punaura P.S. Case No. 119 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

