

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4797 of 2023

Arising Out of PS. Case No.-310 Year-2022 Thana- BANMANKHI District- Purnia

SANJAY KUMAR MANDAL Son of Late Jagdish Mandal, R/o Bus Stand,
Ward No. 03, Banmankhi, P.S.- Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 28-04-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Banmankhi P.S. Case No. 310 of 2022, subsequently S.Tr. No. 475/2022/CIS No. 475/2022, registered for the offences under Sections 279, 337, 338, 304, 304(A) of the Indian Penal Code.

As per allegation, due to rash and negligent driving of the petitioner, one person died and one person became injured.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is not a driver of the ill-fated vehicle no. BR-11GC/6323. As a matter of fact, the driver of that vehicle fled away from the scene of occurrence and the petitioner, who was also in that vehicle, was arrested. He is under custody since



11.09.2022. No driving licence was recovered from the possession of the petitioner.

Considering the above-mentioned facts and circumstances as well as the period of custody, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Purnea in connection with Banmankhi P.S. Case No. 310 of 2022, subsequently S.Tr. No. 475/2022/CIS No. 475/2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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