

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7923 of 2023

Arising Out of PS. Case No.-158 Year-2022 Thana- SANGRAMPUR District- East
Champaran

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NABIL AHMAD Son of Md. Izrail Resident of Village- Nawanagar Nizamat,
P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-05-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Sangrampur Police Station Case No. 158 of 2022
dated 15.05.2022, disclosing offences under Sections
279/308/337/338/427 of the Indian Penal Code.

The allegation against the petitioner, on the basis of
the First Information Report, is that while the informant-ASI,
who was on patrolling duty, the police vehicle was dashed by a
Bolero SUV, being driven by the petitioner in rash and negligent
manner in which the police personnel received injury.

Learned Counsel for the petitioner submits that
upon perusal of the First Information Report, at best, it is the



case of rash and negligent driving and no offence under Section 308 IPC is made out. Petitioner is a driver having valid license and had no intention to cause injury to the police party.

Regards being had to the submissions made on behalf of the parties and taking into consideration the material available on record and nature of allegation and that the offence under Section 279 IPC is bailable, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Chief Judicial Magistrate, East Champaran at Motihari, in connection with Sangrampur Police Station Case No. 158 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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