

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12572 of 2023

Arising Out of PS. Case No.-40 Year-2022 Thana- NAURANGIA District- West Champaran

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GHANSHYAM GUPTA @ GHANSHYAM SAH @ SAH Son of Late
Yadolal Sah R/O Village - Sirisiya Chowk, P.S.- Naurangiya, Distt.- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 12-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

According to the FIR, prosecution case relates to causing death of the informant's younger brother namely, Savaru Chauhan and the allegation against this petitioner is that he pushed him down from an auto-rickshaw due to which he sustained injury and died during course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in the FIR rather this fact came into light that the Auto-rickshaw



met with an accident by which the deceased was going, due to which he sustained injury thereafter, the petitioner, being a driver of the said auto-rickshaw with the help of other people took him to hospital where injured died during treatment. The petitioner has no intention to commit this offence. The petitioner has got no criminal antecedent as stated in para-3 of the petition. Moreover, he is languishing in judicial custody since 21.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Naurangiya P.S. Case No. 40 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 2nd Bagaha, West Champaran.

(Sunil Kumar Panwar, J)

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