

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32670 of 2022**

Arising Out of PS. Case No.-32 Year-2022 Thana- TETERHAT District- Lakhisarai

Amit Kumar Son Of Late Bale Yadav Resident Of Village- Biharsharif,  
Bijbanpar, P.S.- Deepnagar, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Lalan Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      13-02-2023                      Heard learned counsel for the petitioner and  
  
learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a  
  
case registered for the offences punishable under  
  
Sections 304/34.

The prosecution case as per F.I.R is that a truck  
  
bearing Registration No. BR-21GA 8343 hit the son of  
  
the informant while he was talking on mobile, as a result  
  
of which, he succumbed to the injuries during treatment.

It is submitted by learned counsel for the  
  
petitioner that petitioner is innocent and he has falsely  
  
been implicated in this case. The petitioner is not named



in the F.I.R. The petitioner is neither owner nor driver of the truck in question He is Khalashi of the said truck. There is no intention to cause death to the victim, hence, the ingredients under Section 304 I.P.C shall not be attracted in this case and Section 304(A) I.P.C would be applicable, which is bailable. The petitioner is languishing in custody since 28.04.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Tetarhat P.S. Case No. 32 of 2022.

**(Sunil Kumar Panwar, J)**

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