

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36182 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

1. Birendra Chauhan @ Virendra Chauhan, S/O Siyaram Chauhan @ Shivram Noniya @ Siyaram Noniya, Resident Of Village- Hatta Gawai, P.S.- Chainpur, District- Kaimur (Bhabua).
2. Ramcharan Chauhan, S/O Rajendra Chauhan, Resident of Village- Hatta Gawai, P.S.- Chainpur, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-01-2023 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 304, 279, 337, 338 and 304A of the Indian Penal Code.

As per the prosecution case, it is stated that as a result of negligent and rash driving by the petitioners who were on a motorcycle, they dashed against a group of ladies, seriously injuring them as also the wife of the informant. The petitioners were also seriously injured in the accident.

It is submitted by learned counsel for the petitioners that from the contents of the F.I.R itself it would be evident that it is a case of accident. The petitioners themselves having been



injured in the accident, they cannot be said to have committed any offence with any wrong intention. The petitioners are in custody since 28.3.2022, have no criminal antecedent and charge-sheet has been submitted in the case.

Heard learned A.P.P for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners in the F.I.R, their being in custody for 9 months since 28.3.2022 and charge-sheet having been submitted, the petitioners are directed to be enlarged on bail in connection with Sessions Trial no. 226 of 2022 (arising out of Chand P.S. Case no. 77 of 2022) on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Kaimur (Bhabua).

(Partha Sarthy, J)

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