

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50593 of 2023

Arising Out of PS. Case No.-443 Year-2022 Thana- PARSABAZAR District- Patna

RAKESH KUMAR S/O LATE RAMCHANDRA PRASAD R/O-
CHANDESHWAR KAMLA ENCLAVE, E2, 2ND FLOOR, DR. B.
BHATTACHARYA ROAD, NORTH PATEL NAGAR, PS. SHASTRI
NAGAR, DIST. PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-08-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 337, 338 and 304 of the Indian Penal Code.

3. Prosecution case, in brief, is that on 06.09.2022 at about 16:30 hours, informant got information on mobile that his brother, namely, Ashish Kumar has died in an accident. It is alleged that his brother was going from Punpun to home by motorcycle bearing Registration No. BR 01 DU 3377 and in the meantime, motorcycle bearing Registration No. BR 01 DQ 5859 rashly and negligently hit the brother of the informant due to which he died on the spot.

4. It is submitted that petitioner has falsely been



implicated in this case only because he is owner of the motorcycle in question. Informant is not an eye witness of the occurrence. There was no deliberate intention on part of the petitioner of committing such accident and at the relevant time, petitioner was not driving the said motorcycle. Petitioner has got clean antecedent.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Patna in connection with Parsa Bazar P. S. Case No. 443 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

