

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65507 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- ROHTAS District- Rohtas

ANURAG KUMAR Son of Ram Chandra Singh Resident of village - Hurka,
P.S.- Tilouthu, District – Rohtas. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-04-2023 Heard Mrs. Rashmi Jha, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

The petitioner apprehends his arrest in connection
with Rohtas P.S. Case No. 47 of 2022 for the offence registered
under sections 279, 337, 338 and 308 of the Indian Penal Code
lodged on 11.02.2022 by the informant, Ashok Thakur.

As per the prosecution story, it has been alleged that
due to rash driving by the petitioner, one Ram Bishun Singh
sustained injury who later succumbed to the said injuries. The
further allegation is that the people present there disclosed that
the driver of the said tractor was Niranjana Prajapati and he was
also not having the driving license. Accordingly, the FIR.

Learned counsel for the petitioner submits that a
perusal of the FIR itself would show that it was Niranjana
Prajapati, who was driving the tractor and due to his rash
driving, Ram Bishun Singh sustained injuries which proved



fatal. So far as the present petitioner is concerned, he has falsely been implicated in the matter. Learned Counsel submits that in course of investigation, the petitioner has been dragged in the case.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Considering that in the FIR, it has been specifically alleged that Niranjana Prajapati was driving the tractor, the petitioner's name has subsequently come in the investigation, he do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Dehri, District- Rohtas in connection with Rohtas P.S. Case No. 47 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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