

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11618 of 2024

Arising Out of PS. Case No.-342 Year-2023 Thana- GOGRI District- Khagaria

Ritesh Kumar Son of Amod Yadav R/O-Poura, P.S.-Gogri (Poura), Distt.-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Gogri
(Poura) P.S. Case No. 342 of 2023 instituted for the
offences under Sections 279, 337, 338, 304A of the Indian
Penal Code and Section 37 of the Excise Act.

3. As per allegation, the petitioner along with one
another co-accused person caused accident of the husband
of the Informant by negligent driving in drunken state due to
which the the Informant's husband died.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in



the present case. He further submits that nothing incriminating such as liquor etc. has been recovered from the conscious possession of the petitioner. He further submits that all the sections of this case are bailable except Section 37 of the Excise Act which has got no application in this case. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 21.09.2023. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused Sanjay Yadav has been granted bail by a Co-ordinate Bench of this Court vide order dated 17.02.2024 passed in Cr. Misc. No. 7290 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand)



with two sureties of the like amount each to the satisfaction
of Court below/concerned Court in connection with Gogri
(Poura) P.S. Case No. 342 of 2023.

(Rudra Prakash Mishra, J)

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