

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19939 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- MAHNAR District- Vaishali

Rajesh Kumar @ Rajesh Rai Son of Mushafir Rai Resident of vill.-
Basudeopur Chandel, P.S.-Mahnar, Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioner and Mr. Dilip
Kumar No.1, learned A.P.P. for the State.

2. The petitioner seeks bail in connection with a case
registered for the offence punishable u/s 302 IPC.

3. Allegation against the petitioner is that he dashed the son
of the informant with pickup van by driving the same rashly and
negligently and fled away.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. He has been falsely implicated in this case
due to enmity. It is submitted that earlier the F.I.R. was lodged
u/s 304 of the IPC and later on charge sheet ahs been submitted
u/s 302 of the IPC. Petitioner is not the owner of the said pickup
van and he is a labour. It is further submitted before the bar that



charge has been framed against the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 27.09.2023.

5. Learned APP for the State opposed the prayer for bail.
6. Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Mahnar P.S. Case No.136/2023.
7. However, before accepting the bail bond of the petitioner, learned Court below is directed to verify this fact as to whether charge has been framed against the petitioner or not and if it is found that the charge has not been framed, the bail bond of the petitioner shall not be accepted.

(Anjani Kumar Sharan, J)

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