

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36061 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- BIKRAM District- Patna

Vikash Kumar Son of Laldev Yadav R/O Village- Anauli, Gondapur, P.S.-
Bhagwanganj, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parashuram Singh

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-06-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Rabindra Kumar.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 279 and
304 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case with an
allegation that he committed culpable homicide not amounting
to murder when from perusal of the allegation as alleged in the
FIR, it would manifest that it is a case of rash and negligent
driving and the petitioner never had any intention of committing
the occurrence but then the child all of a sudden came on the
road and got knocked by the vehicle. It is further submitted that
the petitioner and the deceased were not known to each other



but then the death was completely accidental and the FIR, instead of being registered under Section 304A of the IPC, came to be instituted under Section 304 of the IPC.

4. Learned A.P.P., Mr. Rabindra Kumar, opposes the prayer for anticipatory bail of the petitioner and submits that in the event, if anticipatory bail is granted to the petitioner, the petitioner may abscond on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bikram P.S. Case No. 91 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. One of the bailors of the petitioner shall be his father (Laldev Yadav).

7. However, it is made clear that in the event, if the



Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this court, is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this order be sent to the concerned police station through the learned trial court.

(Satyavrat Verma, J)

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