

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39646 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- KHAIRA District- Jamui

JHULO MANDAL @ RAHUL KUMAR SON OF LATE BHARAMDEV
MANDAL RESIDENT OF MOHALLA - KALYANPUR, POLICE STATION
- JAMUI, DISTRICT - JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Adv
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 11-09-2024 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khaira P.S. Case No. 06 of 2024 dated 03.01.2024 registered for the offences punishable u/ss 279, 337, 338, 304 of the Indian Penal Code and Section 37(b) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on 03.01.2024 at 6.30 P.M., the deceased, Simran Kumari was run over by the Toto, driven rashly and negligently by the petitioner who was in a drunken condition while the informant and her daughter, Simran Kumari were returning to her house. The said vehicle



did not have light and registration number. The two other persons were also found sitting in the said vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is the owner of the Toto rickshaw and on the alleged date of occurrence, he was sitting in the middle seat of the Toto and the driver Mahendra Yadav was driving the Toto. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner being drunken was driving the vehicle at high speed at the time and date of the incident which caused the death of the informant's daughter, Simran Kumari while there was no traffic on the road. The occurrence took place at 6.30 P.M. in January.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge



the petitioner above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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