

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38654 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- RANIYATALAB District- Patna

Sarvjit Paswan @ Sarvajit Paswan S/o Udhari @ Udhari Paswan Resident of
Village-Babhan Kanpa, P.S.-Ranitalab, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh, Adv.
For the Opposite Party/s : Mr. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending
his arrest in connection with Rani Talab P.S. Case No. 04 of 2024
registered on 02.01.2024 for the alleged offences under Section
279 and 304 of the Indian Penal Code.

03. As per prosecution case, the allegation against the
petitioner is that of causing injuries to the husband of the
informant by his four wheeler. The husband of the informant
succumbed to the injuries during treatment.

04. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case
and there is no negligence on part of the petitioner. The petitioner
is driver of a seized Bolero vehicle and it appears to be a case of

accident. Learned counsel further submits that even if it is taken to be a case of negligent driving, there is no applicability of Section 304 of the Indian Penal Code. The petitioner is having no criminal antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that the allegation relates to death caused by a speeding vehicle without any other substantive material and further considering remoteness of allegation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned J.M.F.C., Danapur, Patna/concerned court in connection with Rani Talab P.S. Case No. 04 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date

fixed by the court below, if so
required by the learned trial
court.

(Arun Kumar Jha, J)

anuradha/-

U		T	
---	--	---	--