

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47670 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- SAHAR District- Bhojpur

Gaurav Kumar S/O Sri Shiva Nat R/O Village- Rawaich, P.S- Bakhtiyarpur,
Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Ms. Vaishnavi Singh, Adv.
Mr. Ritwik Thakur, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Sahar P.S. Case No. 18 of 2024 dated 03.02.2024, instituted for
the offence punishable under Sections 307, 302, 304-A, 279,
337 and 338 of the Indian Penal Code.

3. The prosecution case, in short, is that a pickup van
was being used for transportation of illicit liquor, the said
vehicle was chased by a Scorpio bearing Reg. No. BR26E8377.
While chasing the pickup van and asking the driver of the
pickup van to stop, the pickup van slowed down. Thereafter, the
driver of the pickup van with an intention to kill, dashed the
Scorpio car as a result of which the Scorpio car crashed at some



distance due to which informant, the driver of the Scorpio as well as others sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that petitioner is the driver of the said pickup van, who also received injury in the accident. Two drivers were injured, one of the Scorpio and another driver of the said pickup van. It is also submitted that no incriminating articles or illicit liquor was recovered from the said pickup van. It is also submitted that the petitioner all along remained in the hospital with the informant. It is submitted that informant has failed to show that there was any motive of the petitioner to run from the police or any other such action has been alleged in the F.I.R.. It is further submitted that it is highly improbable that a person after sustaining such severe injuries would have tried to flee away. It is submitted that so called story in the F.I.R. that the said chase was being done on suspicion that the pickup van was carrying liquor is demolished by the fact that absolutely nothing incriminating was recovered and thus it can also be safely said that it was the fault of the police vehicle due to which the accident took place and after they came up with false case. Lastly, it has been submitted that he has no criminal



antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sahar P.S. Case No. 18 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-Ist Class, Arrah, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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