

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70734 of 2023

Arising Out of PS. Case No.-135 Year-2017 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

=====

Gudra Yadav @ Sintu Kumar S/O Sri Rambahadur Yadav @ Fochar Yadav
Resident Of Village Kasimpur Ps Banma Ithari District Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Parmanand Prasad

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. As per the prosecution case, the informant alleged that on 13.05.2017 his cousin sister-in-law was suffering from childbirth pain, his mother, aunt and Asha worker were carrying her to Sub-Divisional Hospital, Simri-Baktiyarpur by a tempo whose driver was Gudra Yadav (petitioner). It is further alleged that the petitioner was driving rashly and negligently due to which on the way the vehicle overturned and his mother, Geeta Devi, sustained sever injuries and died on the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that the charge-sheet has been submitted against the petitioner under Sections 279 and 304 of the IPC. He further submits that the informant was neither present in the vehicle nor present at the place of occurrence. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that the charge-sheet has been submitted under Sections 279 & 304 of the I.P.C., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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/successor Court in connection with Bakthiyarpur P.S. Case No. 135 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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

