

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47340 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- ISHUPUR BARAHAT District-
Bhagalpur

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Shekhar Sah @ Shekhar Kumar S/o Ganga Sagar Sah @ Ganga Sah Resident
of Village- Badhuganj, Police Station- Ishipur Barahat, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Ishipur Barahat P.S. Case No. 190 of 2024 registered for the alleged offences under Sections 125(b), 105, 3(5) of B.N.S.

3. As per prosecution case, in the background of old enmity, the petitioner dashed his motorcycle with the motorcycle of the son of the informant who received injury and while being taken to the hospital, he died on the way.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR it is apparent that the occurrence took place



due to rash and negligent driving of the petitioner and the son of the informant. The petitioner has no concern with the deceased and no threat has been given to the deceased by the petitioner as he has no grievance against the deceased. The son of the informant has sustained injury due to road accident and no occurrence in the manner stated in the FIR has taken place. There is no eye witness to the occurrence. The statement of the brother of the petitioner was recorded who stated that in order to save the dog on the road the alleged occurrence took place and one witness stated that both the motorcycle dashed with each other and petitioner and deceased sustained injury and fell down. The petitioner has not intentionally dashed the motorcycle of the deceased. The petitioner has got no criminal antecedent. The petitioner is in custody since 04.04.2025 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the possibility of death being caused in an accident and further considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner above



named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Bhagalpur/concerned Court in connection with Ishipur Barahat P.S. Case No. 190 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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