

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74373 of 2024

Arising Out of PS. Case No.-159 Year-2024 Thana- ITARHI District- Buxar

Sonu Pandey, S/o Keshwar Pandey @ Dadan Pandey, R/o vill - Manhatha,
P.S. - Nawanagar, Distt. - Buxar, and at present R/o vill - Adarsh Nagar Buxar,
P.S. - Buxar (Town), Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Kamal Deo Sharma, Advocate
For the State	:	Mr. Yogendra Kumar, APP
For the informant	:	Mr. Arvind Kumar Pradhan, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State as well as learned counsel for the informant.

2. The petitioner seeks bail in connection with Itarhi P.S.
Case No. 159 of 2024 dated 21.07.2024, instituted for the offence
punishable under Sections 109, 281, 103 of the B.N.S., 2023.

3. The prosecution case, in short, is that on the alleged
date of occurrence, the nephew of the informant, namely, Pranshu
Kumar was coming from Sikraul Lakh to Buxar by Scooty. Rinku
Devi and Pradip Yadav were pillion rider. In the way, a red colour
car bearing Registration No. WB06-D-1133 being driven
negligently came from opposite direction and hit his nephew.
Thereafter, with intention to kill, the car ran over his nephew. The
said car was being driven by the petitioner, who is co-villager.



Prior to the occurrence, a scuffle took place with nephew and the petitioner in which the petitioner threatened with dire consequences. In course of treatment, his nephew died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the present case arises out of road accident. It is submitted that F.I.R. reveals that there is previous enmity between the parties. Learned counsel for the petitioner submits that there is no independent witness of the alleged occurrence. Lastly, it has been submitted that the petitioner is in custody since 18.08.2024 having four criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant submits that in the present occurrence, apart from the deceased, two other co-passengers of the scooty also got injured and their statements were recorded under Section 180 of B.N.S.S. (old Section 161 Cr.P.C) in which they have specifically stated that the driver of the said car hit the scooty from opposite direction due to which the deceased along with two co-passengers fell down on the ground. Thereafter, again the petitioner backed the car and ran over the deceased intentionally. Learned counsel for the informant also submitted



that the two eye-witness of the occurrence have recorded their statement before the police in paragraph no. 98 & 99 of case diary who also supported the case of the prosecution. Post-mortem report also supports the case of the prosecution.

6. After hearing the submissions of the parties and from perusal of the case diary, it appears that there is specific allegation against the petitioner that he hit the deceased by his car. Thereafter, he again ran over the deceased by reversing his car.

7. Considering the gravity of offence levelled against the petitioner, I am not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for regular bail on behalf of the petitioner stands rejected.

9. Learned trial court is directed to expedite the trial and take all endeavour to conclude the trial at the earliest, preferably, within a period of one (01) year from the date of receipt/production of a copy of this order.

(Khatim Reza, J)

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