

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80182 of 2024**

Arising Out of PS. Case No.-445 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Gautam Kumar Son of Ganesh Sah village- Barauni Rajwara, ward no. 3, ps-  
Garhara, Dist- Begusarai

... .. Petitioner/s

Versus

## The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

4      04-04-2025      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Begusarai Town P.S. Case No. 445 of 2024 instituted for the offence under Sections 281 and 106(1) of Bharatiya Nyaya Sanhita, 2023 and Section 37(c) of Bihar Prohibition and Excise Act and Sections 125(A), 125(B), 105 Part 011, 3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 184, 185 and 186 of Motor Vehicle Act.

3. The case of the prosecution is that the informant and his brother were going on a scooty and from opposite



direction one Alto car dashed them. The car was being driven rashly and in that accident, the younger brother of the informant namely, Md. Jabir Hussain who was plying the vehicle, died on spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is also submitted that the FIR was lodged against unknown persons. The name of this petitioner has surfaced during investigation. He was only a co-passenger of that car. In any view of matter, it is only a case of rash driving. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 21.02.2025 in Cr. Misc. No. 74896 of 2024.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Begusarai Town P.S. Case No. 445 of 2024,



he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Judge-I, Begusarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Ashok Kumar Pandey, J)**

Shubham/-

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