

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2589 of 2025

Arising Out of PS. Case No.-6 Year-2024 Thana- KHAIRA District- Jamui

Jhulo Mandal @ Rahul Kumar S/o Late Bhramdev Mandal @ Bharmdeo
Mandal Resident of Mohalla- Kalyanpur, Police Station- Jamui, District-
Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mrs Sharda Kumari

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khaira P.S. Case No. 06 of 2024 dated 03.01.2024 registered for the offences punishable u/ss 279, 337, 338, 304 of the Indian Penal Code and Section 37(b) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on 03.01.2024 at 6.30 P.M., the deceased, Simran Kumari was run over by the Toto, driven rashly and negligently by the petitioner who was in a drunken condition while the informant and her daughter, Simran Kumari were returning to her house. The said vehicle



did not have light and registration number. The two other persons were also found sitting in the said vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is the owner of the Toto rickshaw and on the alleged date of occurrence, he was sitting in the middle seat of the Toto and the driver Mahendra Yadav was driving the Toto. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner being drunken was driving the vehicle at high speed at the time and date of the incident which caused the death of the informant's daughter, Simran Kumari while there was no traffic on the road. The occurrence took place at 6.30 P.M. in January.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jamaui in connection with Khaira P.S. Case No. 06 of 2024, with the following condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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