

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
BAIL PETITION NO. 386/2026
(Arising out of Traffic P.S. Case No. 47/2026)

Shankar Yadav

... Petitioner

Versus

The State of Bihar

... Opposite Party

Ld. Counsel for the Petitioner:-
Ld. Counsel for the State :-

Sri Sanjay Kumar Singh, Advocate
Sri Shiv Narayan Singh, APP

Date of hearing/Disposal: 03.06.2026

ORDER

A regular bail petition has been filed on behalf of the accused petitioner namely Shankar Yadav, who is in jail custody since 31.03.2026 in connection with Traffic P.S. Case No. 47/2026 for the offence registered U/S 281, 106(1), 105 of the B.N.S. The copy of the same has already been duly served to the Ld. Addl. P.P. for the State.

Heard the Ld. counsel for the petitioner and the learned A.P.P. for the State.

The Ld. counsel of the petitioner has submitted that no B.P. or A.B.P. on behalf of the accused petitioner has been filed or moved earlier before this court or before the Hon'ble High Court, Patna. The petitioner is quite innocent and has committed no offence and he has been falsely implicated in this case. That the petitioner has no criminal history. The petitioner is a poor driver by profession. That the petitioner was immediately apprehended from the spot and co-operated with the police. The petitioner is languishing in judicial custody since 31.03.2026. The petitioner is local man and no chance of his absconding. The petitioner is ready to furnish local and solvent bailors to the satisfaction of the court. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of bail filed on behalf of the above named accused petitioner and submitted that the petitioner has committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioner.

The case of the prosecution, in brief, is that on 30.03.2026 at about 08:30 PM, the informant's husband, Hazrat was allegedly run over by a bus bearing Reg. No. BR-39G-6362 which was being driven rashly and negligently by accused Shankar Yadav. Due to the injuries sustained, he died on the spot. The bus was subsequently intercepted and the driver was handed over to the police. Hence, the present case.

Heard rival submission of the Ld. counsel on behalf of the accused petitioner and the Ld. Addl. P.P. for the State and perused the case diary and LCR. From perusal of the same, it transpires that the present Traffic P.S. Case No. 47/2026 for the offence registered U/S 281, 106(1), 105 of the B.N.S. against the accused person. Petitioner is

named accused of F.I.R. and the allegation against the petitioner arises out of a road accident and there is no allegation of any intentional or premeditated act to cause the death of the deceased. The offence is based on alleged rash and negligent driving. That the petitioner was apprehended at the spot and has cooperated with the investigation, Therefore, there is no likelihood of absconding. Initially, the case was registered U/S 281 and 106(1) of BNS and later on Section 105 of BNS was added at the request of police. However, any material of ingredient of Sec. 105 of BNS is not available at present in case diary. That no further custodial interrogation of the petitioner is required. The petitioner is languishing in custody since 31.03.2026. There is no chance of absconding or tampering with the evidence and he is ready to co-operate during trial and investigation of this case.

Hence, considering the above facts and circumstances as well as the period of custody, I find it judicious to enlarge the above named accused petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of like amount each to the satisfaction of the Ld. Court below.

(Sd/-)
(Sunil Kumar Singh-III)
D.A.S.J.- III, Katihar
03.06.2026