

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5825 of 2015

Arising Out of PS.Case No. -43 Year- 2014 Thana -BHAGWANPUR District- VAISHALI
(HAJIPUR)

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Rajesh Pandey S/o Sachhidanand Pandey Resident of village - Jagdishpur,
P.S. Belsar, District - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2015

Heard both sides.

The petitioner apprehends his arrest in a case registered under Section 307 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

Nutan Singh, the informant, named three persons Sunil Singh, Subhash Kumar and Abhineshwar Pandey @ Nanhe Pandey and alleged that they along with other unknown persons came and Sunil Singh and Subhash Kumar are alleged to have assaulted the informant, her husband and her son. They had assaulted the informant earlier also for which Bhagwanpur P.S. Case No. 188/13 and Bhagwanpur P.S. Case No. 43/14 were registered.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and no specific allegation is

made against the petitioner. The name of the petitioner figured in the case on mere suspicion; that too, on the basis of the fact that the motorcycle of the petitioner was recovered from the place of occurrence and it was suspected that the petitioner might have been there along with his motorcycle. It has come that the petitioner had sold his motorcycle earlier.

Considering the facts aforesaid and the fact that the petitioner is not named in the F.I.R. and no specific allegation is made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in Bhagwanpur P.S. Case No. 43/14, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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