

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33320 of 2015

Arising Out of PS.Case No. -47 Year- 2015 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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Rudal Pandey, son of late Mahangu Pandey

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Mr. Madan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302, 120B of the Indian Penal Code and 27 of the Arms Act.

It is alleged that the informant came to know through mobile that his father has been shot then the informant came to the place of occurrence where he saw co-accused Kunal Singh and other person fleeing away and Kunal Singh was firing in the air. It is also alleged that earlier Kunal Singh and this petitioner threatened the father of the informant for non-fulfillment of extortion demand.

It is submitted by learned counsel for the petitioner that informant has not alleged that he saw the petitioner at the place of occurrence where Kunal Singh was seen fleeing away from the

place of occurrence. The son of the petitioner, at earlier point of time, lodged Piprakothi P.S. Case No.25 of 2008 against co-accused Kunal Singh wherein Kunal Singh has been apprehended and confessed his guilt and named his associates but has not named the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the circumstantial nature of accusation, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Pipra Kothi P.S. Case No.47 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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