

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32789 of 2015

Arising Out of PS.Case No. -59 Year- 2015 Thana -LAXMIPUR District- JAMUI

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Pankaj Pandey, S/o Bhola Pandey, Resident of Village- Karanpur, P.S. Laxamipur, District Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Narsing Tanti, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 20-08-2015 The learned counsel for the petitioner is permitted to make necessary correction in paragraph 1 and the prayer portion of the bail petition.

Heard the learned counsel for the petitioner, the State and the informant.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 120B/34, 427 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted that the allegation against the petitioner is that he was also a member of the mob, which committed the offence. There is specific allegation of overt act against Bibhuti Pandey and Ajay Yadav, who shot fire upon the deceased. There is no specific allegation of overt act against the petitioner. However, after investigation, charge sheet has already been submitted and there is no chance of tampering with the witnesses. The petitioner has been in custody since 19.04.2015 having

no criminal antecedent.

The learned counsel for the other side submits that the case has been committed to the court of sessions against the petitioner also and the date fixed for their production is 28.08.2015.

Considering the facts and circumstances of the case, let the above-named petitioner be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 2nd, Jamui **after framing of charge** in Sessions Trial No.191 of 2015 arising out of Laxmipur P.S.

Case No.59 of 2015 with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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