

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50476 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -SANGRAMPUR District- MUNGER

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SINGHESHWARI PANDEY @ SIDHESHWAR PANDEY son of Rupan Pandey resident of Village- Munshi Tola, Jagatpura, P.S.- Sangrampur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-12-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Sangrampur (Tetiabammer) P.S. Case No. 46 of 2016 for the offences punishable under sections 147, 148, 149, 323, 341, 337, 504 and 307 of the I.P.C and section 27 of the Arms Act.

The informant Bikram Chandrabanshi along with others were returning after completion of election on 29.04.2016 at about 04.30 P.M. in the evening and when they reached near the house of Mithilesh Pandey of Village- Munshi Tola, Jagatpura, all the FIR named accused persons including the petitioner all of a



sudden started abusing them and assaulted with Lathi, when the informant tried to flee by pushing the accused persons the petitioner started assaulting his brothers who raised alarm, upon which his father came to rescue them with whom some altercation and scuffle took place and thereafter co-accused Mithilesh Pandey and the petitioner fired from their pistol indiscriminately till then the informant entered into the house, then the petitioner, co-accused Parmanand Singh, Lal Bahadur and Heera Prasad started pelting stone at his house and also made firing and when the nearby people assembled there the accused persons fled away.

Submission is of false implication and that there is omnibus allegation of firing, no firearm injury has been caused to the informant or any one, no offence under section 307 of the I.P.C. is made out, there is case and counter case vide Sangrampur P.S. Case No. 44 of 2016 under sections 147, 148, 149, 341, 323, 324, 307, 337 and 504 of the I.P.C. and section 27 of the Arms Act against the informant and others, in this case co-accused Parmanand Singh, Lal Bahadur Shastri and Mithilesh Pandey have already been allowed pre-arrest bail by the different co-ordinate Benches of this Court and the case of the petitioner stands on similar footing to that of co-accused Mishilesh Pandey.

In the facts and circumstances as stated above,



considering that co-accused Mithilesh Pandeny has been allowed pre-arrest bail and there is no firearm injury caused to the informant or any one and as such the petitioner, in the event of his arrest or surrender within six weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. A.C.J.M-II, Munger in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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