

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.178 of 2016

Arising Out of PS.Case No. -67 Year- 2015 Thana -NARDIGANJ District- NAWADA

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1. Pawan Pandey , Son of - Parmanand Pandey, Resident of Village- Ramai,
P.S- Nardiganj, District- Nawada

2. Rakesh Pandey @ Vivekanad Pandey, Son of - Late Jagdish Pandey,
Resident of Village- Ramai, P.S. Nardiganj, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Adv.

For the Opposite Party/s : Mr. Dr. Indihar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

4 29-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147,148,149,341,307,379,504,120B of the Indian Penal Code and 27 of the Arms Act.

It is alleged against the petitioners that petitioner no. 2 Rakesh Pandey fired with rifle upon Ranjeet Kumar which hit in his abdomen due to which he fell down thereafter petitioner no. 1 Pawan Pandey snatched gold chain worth Rs. 24000/- from the neck of Ranjeet Kumar.

It is submitted by learned counsel for the petitioners that petitioners are innocent and there is no injury report on record. Statement has been made in paragraph no. 10 of the petition which reads as :

“10 That it is further submitted that the no injury report available in the case diary due to it appears that there in between connivance of Investigating officer and informant.

Considering the fact that accusation of assault has not been levelled against the petitioner no 1, let him in event of his arrest or surrender before the Court below within a period of 12 weeks from today, 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 learned Chief Judicial Magistrate, Nawada in connection with Nardiganj P.S. Case No. 67 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Since there is specific accusation of firing against Rakesh Pandey, Petitioner no. 2, let learned court below consider the prayer for regular bail of Petitioner no. 2 if he surrenders within a period of six weeks in connection with Nardiganj P.S. Case No. 67 of 2015 pending before the Chief Judicial Magistrate, Nawada.

The application stands disposed of with regard to Petitioner no. 2.

(Dinesh Kumar Singh, J)

Prakash/-

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