

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6582 of 2017

Arising Out of PS.Case No. -863 Year- 2016 Thana -BIHTA District- PATNA

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Arun Pandey, Son of Suresh Pandey, R/o village - Bindaul, P.S. Bihta,
District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kamlesh Prasad Yadav, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 01-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 12.11.2016 in connection with Bihta P.S. Case No. 863 of 2016 for the offences alleged under Sections 147, 148, 149, 307, 324, 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and in any event, no overt act has been attributed to the petitioner and the thrust of accusation is against other co-accused. Similarly situated co-accused Chunu Pandey @ Chunnu Pandey has been granted bail by this Court in Cr. Misc. No. 2168 of 2017. The petitioner is on bail in respect of two earlier cases in which he has been made accused.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, in connection with Bihta P.S. Case No. 863 of 2016, on the following conditions:-



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

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