

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.2168 of 2017**

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

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CHUNU PANDEY @ CHUNNU PANDEY S/o Arun 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/s : Mr. Kamlesh Prasad Yadav

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

ORAL ORDER

2      30-01-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

Supplementary affidavit has been filed on behalf of the  
petitioner disclosing criminal antecedent of the petitioner which  
was not mentioned in paragraph 3 of the application due to the  
fact that the case was lodged on the same day. Let the same be  
kept on record.

The petitioner seeks bail in connection with Bihta P.S.  
Case No. 863 of 2016 registered for the offences punishable under  
Sections 147, 148, 149, 307, 324, 504 Indian Penal Code and  
Section 27 of the Arms Act.

The petitioner along with others are named in the first  
information report but against the petitioner there is no specific  
allegation for causing injury to anyone and the occurrence has  
taken place for illegal sand mining.



Submission is of false implication and that against the petitioner there is no specific allegation for committing any overt act. He has simply been named in the first information, resulting, he is suffering in custody since 12.11.2016 having only one case against him wherein he is on bail granted by the court below itself.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that several persons were injured critically and the petitioner was also the member of mob.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Danapur in connection with Bihta P.S. Case No. 863 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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