

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

**Criminal Miscellaneous No.31031 of 2018**

Arising Out of P.S.Case No. -168 Year- 2017 Thana -KARAHGAR District- SASARAM  
(ROHTAS)

=====

Chandan Kumar Pandey, Son of Dina Nath Pandey, Resident of Vill-  
Pandey Tola, Kargahar, P.S.- Kargahar, Dist- Rohtas.

.... .... Petitioner/s

Versus

The State of Bihar

... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Murlidhar

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

3      09-07-2018                      Heard learned counsel for the petitioner as well as  
learned APP for the State.

The petitioner is in custody in connection with Kargahar  
P.S.Case No.168 of 2017 registered for an offence under sections  
302 and 34 of the IPC and 27 of the Arms Act.

Allegation as per FIR is that seven FIR named accuseds  
armed with deadly weapon surrounded the father of the informant  
and on the order of co-accused Kapildeo Sah, three persons shot  
firing as a result of which, father of the informant died at the spot.

It has been submitted that the petitioner is neither named  
in the FIR nor there is any allegation against him. The persons  
who shot fire on the deceased has been allowed bail in  
Cr.Misc.No.46779 of 2017 and other FIR named accused Vikash  
Sah has also been granted bail in Cr.Misc.No.3636 of 2018 by



other Benches of this Court. The case of this petitioner stands on better footing. In course of investigation some of the witness has stated that this petitioner was found standing at some distance to keep watch. The petitioner is in custody since 14.10.2017 having clean antecedent.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for bail is allowed. Let the above named petitioner 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 Additional Sessions Judge-7<sup>th</sup>, Rohtas at Sasaram in connection with Sessions Trial No.117 of 2018 arising out of Kargahar P.S. Case No.168 of 2017 with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

**(Sanjay Kumar, J)**

B.Kr./-

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