

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.69567 of 2018

Arising Out of PS. Case No.-12 Year-2017 Thana- SIKARHATTA District- Bhojpur

Vijay Pandey, son of Paras Nath Pandey, resident of village, Doman Dehra,
P.S. Agiaon Bazar District Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-11-2018 Heard learned counsel for the parties.

Petitioner seeks bail in Sikarhatta P.S. Case No. 12
of 2017 registered for the offences punishable under Sections
147, 148, 149, 302 of the Indian Penal Code and Section 27 of
the Arms Act.

As per the allegation, the petitioner along with five
other FIR named accused persons assaulted the deceased
Ashutosh Kumar @ Hulchul Rai by means of sharp edged
weapon but learned counsel for the petitioner points out that
while considering the bail prayer of co-accused Mohan Ray in



Cr. Misc. No.6782 /2018, a coordinate Bench of this Court got opportunity to look into the post mortem report of the deceased and found that the deceased sustained one single injury on his head said to be caused by hard and blunt substance and taking note of the aforesaid fact, vide order dated 05.03.2018 granted bail to the co-accused Mohan Ray. Learned counsel for the petitioner further submits that the co-accused, Ramkant Rai has also been granted bail vide order dated 24.07.2018 passed in Cr. Misc. No.43547 of 2018 (Annexure II).

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhojpur, Ara in connection with Sikarhatta P.S. Case No. 12/2017 with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of



the case, in that case, prosecution
will be at liberty to move for
cancellation of bail of the
petitioner.

(S. Kumar, J)

Sanjay/-

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