

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70651 of 2018

Arising Out of PS. Case No.-291 Year-2018 Thana- GOGRI District- Khagaria

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Balmiki Pandit @ Rajiv Pandit, Son of Bindeshwari Pandit, Resident of
Village-Fatehpur, P.S.-Gogari, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Gogari P.S. Case No. 291 of 2018 (G.R. No.
2372 of 2018) registered for the offences punishable under
Sections 341, 323, 447, 307, 504/34 of the Indian Penal Code
and Section 27 of Arms Act..

Informant has alleged that while Goat of accused
was grazing in her field she asked the accused persons to keep
their goat out upon which they became infuriated and started
abusing and assaulting the informant and also fired a shot from
arms which hit on the right elbow of informant.

It has been submitted on behalf of the petitioner
that he is innocent and has been falsely implicated in this case



due to local politics. There is land dispute between parties and allegations against the accused is of omnibus and general in nature. There is no specific allegation against the petitioner. The injury caused is also of simple in nature. Petitioner has no criminal antecedent and is in custody since 29.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon 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, Khagaria, in connection with Gogari P.S. Case No. 291 of 2018 (G.R. No. 2372 of 2018), subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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)

Rajiv/Manoj

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