

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56256 of 2017

Arising Out of PS.Case No. -998 Year- 2017 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

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Monu Pandey @ Ravi Pandey @ Ravi Shankar Pandey, S/o Dinesh Pandey, r/o Village- Ghordihan, P.S.- Kargahar, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 18-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Sasaram (M)**

P.S. Case No. 998 of 2017 instituted for the offence under Sections 448, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is not named in the written report. In the written report it is alleged that while the informant with his son Sudhir @ Vijay and other were sitting in *Baithaka*, 6-7 persons armed with pistol arrived and started firing indiscriminately on account of which the son of the informant Sudhir @ Vijay sustained firearm injury in his left thigh.

During investigation, police has recorded statement of injured Sudhir @ Vijay as mentioned in paragraph-49 of the case



diary wherein he has stated that on 18.7.2017 in evening, he came to his room from Hata where co-accused Atul Anurag Mishra was sitting and after two minutes co-accused Atul Anurag Mishra had gone from Hata. Thereafter, after ten minutes 6-7 persons came in which he has identified this petitioner, co-accused Dhanjee Pandey and Bablu Pandey and claimed to identify other persons. All of them started firing on him, on account of which, he received pellet injury in left thigh and he fell down in an injured condition.

The injury report is available in paragraph-69 of the case diary wherein the Doctor has found one injury on his thigh caused by fire arm.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Sasaram (M) P.S. Case No. 998 of 2017**, he shall be released on anticipatory bail on 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, Rohtas at Sasaram** subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient



immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if 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.

(Sanjay Priya, J)

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