

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42909 of 2018

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1. Laptu Pandit @ Lakhandar Pandit, S/o Late Chait Pandit,
 2. Bahadur Pandit S/o Late Yugal Pandit,
 3. Supan Pandit S/o Late Yugal Pandit,
 4. Mantu Pandit S/o Bahadur Pandit,
 5. Satyendra Pandit S/o Bahadur Pandit, All R/o Vill.- Songhatta, P.S.-
Koilwar , Distt.- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners had earlier moved for bail which was
rejected vide order dated 30.03.2018 passed in Cr. Misc. No.
11308 of 2018.

Petitioners are languishing in judicial custody since
20.10.2017 in connection with Session Trial No. 171 of 2018
arising out of Koilwar P.S. Case No. 294 of 2017 for offences
punishable under Sections 341, 323, 504, 379, 307/34, 354(A) of
the Indian Penal Code. Later on, Section 302 of the I.P.C. has been
added.



The prosecution case, as lodged by the informant, is that while he along with Kaushalya Devi was entering in the house, petitioners along with other co-accused started beating them and the family members by means of lathi and dab on which two family members of the informant's side one Jitendra Pandit and Rita Devi died during course of treatment.

It has been submitted by the learned counsel for the petitioners that they are innocent, general and omnibus allegations have been levelled against them and there was a dispute between the parties regarding passage between two houses and the Title Suit No. 64 of 2015 is pending before the court of the learned 3rd Munsif, Ara. He submits that a criminal case has been lodged by the petitioners' side being Koilwar P.S. Case No. 322 of 2017 in which the informant's side had also assaulted the petitioners' side in which charge-sheet has already been submitted against the informant's side. Petitioners undertake to cooperate in the trial on day to day basis.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on



bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge, Bhojpur, Arah in connection with Session Trial No. 171 of 2018 arising out of Koilwar P.S. Case No. 294 of 2017, subject to the conditions that:

(1) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.

(2) Petitioners will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

Devendra/-

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