

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63990 of 2018

Arising Out of PS. Case No.-906 Year-2016 Thana- COMPLAINT CASE District- Banka

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1. Gurudeo Kr. Pandit @ Gurudeo Pandit, S/o Yogendra Pandit,
 2. Nandan Pandit, Son of Yogendra Pandit,
 3. Sudin Pandit, Son of Yogendra Pandit,
 4. Tiliya Devi, Wife of Yogendra Pandit,
 5. Jogendra Pandit, S/o Late Chutari Pandit,
 6. Pushpa Devi, Wife of Sudin Pandit,
 7. Ranju Devi, Wife of Nandan Pandit, All resident of Village- Raghunathpur, Police Station- Barahat, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kalawati Devi, W/o Krishnadeo Pandit, R/o Village- Raghunathpur, P.S.- Barahat, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. Sri Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-12-2018 Heard the learned counsel for the petitioners,
opposite party no. 2 as well as the State.

The petitioners seek bail in anticipation of their arrest in connection with Complaint Case No. 906 of 2016 in which cognizance has been taken under Sections 147, 148, 323, 380, 504, 307 and 34 of the Indian Penal Code.

The complainant/opposite party no. 2 has alleged that after the death of her daughter, her son-in-law viz. Sachidanand Pandit is trying to kill her grand-son viz. Peeyush Kumar as her son-in-law has remarried.



In the aforesaid act, the petitioners are supporting aforesaid Sachidanand Pandit. The complaint further states that on one occasion when aforesaid Peeyush Kumar was being brought home by the opposite party no. 2, an attempt was made to kidnap him but that attempt failed. The complainant therefore harbours apprehension that perhaps in the future, her grand-son viz. Peeyush Kumar may be harmed.

Learned counsel appearing for the petitioner has submitted that the complaint case is based mainly on soem assumptions without there being any reason for the same. After the death of the wife of Sachidanand Pandit he and his family members have been keeping the Peeyush under care and supervision and all the expenses towards his maintenance is being borne by his father/Sachidanand Pandit. It has further been submitted that so far as the petitioners are concerned, they are only alleged to have been helping aforesaid Sachidanand Pandit. There is no specific accusation against them.

Learned counsel appearing for the complainant/opposite party no. 2 has stated that the apprehension of the grand-son of the informant being harmed is not without any reason. Earlier an attempt was made to abduct the boy from running train but only



with the timely intervention of local people, the occurrence could be averted.

However considering the nature of accusation and especially the fact that the petitioners are not directly related to the complainant/opposite party no. 2 and are outsiders to the affairs of aforesaid Sachidanand Pandit, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Banka in connection with Complaint Case No. 906 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The complainant/opposite party no. 2, would have the liberty to proceed for cancellation of bail of the petitioners in case any effort is made by them to cause any harm to Peeyush Kumar.

(Ashutosh Kumar, J)

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