

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21424 of 2018

Arising Out of PS.Case No. -146 Year- 2016 Thana -CHAND District- BHABHUA (KAIMUR)

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Tahalu Pandey, Son of Dau Pandey, Resident of Village-Khanav, P.O.-
Manihari, P.S.-Bhabhua, District-Bhabhua at Kaimur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Santosh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Gulnar Begum, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 23.11.2017 in connection with Chand P.S. Case No. 146 of 2016 for the offence registered under Sections 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that only on the basis of speculation, the name of the petitioner has been brought in, as the informant suspected that there was enmity between his brother and the present petitioner. Admittedly, no one has been identified at the place of occurrence and the name has come in because it is stated that 15 days prior to the occurrence, the petitioner along with one Ashok Pandey had made a plan for



killing the brother of the informant.

Diary of the present case was called for which has since been received.

After perusal of the case diary, learned counsel for the petitioner submits that there has been no identification of any of the culprits, who have allegedly gun down the Karmula Ansari (since deceased).

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Kaimur at Bhabhua in connection with Chand P.S. Case No. 146 of 2016, subject to the following conditions :-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date



during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail bonds shall be liable to be cancelled by the learned Court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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