

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63354 of 2017

Arising Out of PS.Case No. -359 Year- 2015 Thana -AMARPUR District- BANKA

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Panchu Panjiyara @ Panchu Panjiara, Son of Bindeshwari Panjiyara,
Resident of Village- Nagardih, P.S.- Fullidumar, District- Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-02-2018 Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in connection with Amarpur P.S.
Case No. 359 of 2015 for offences punishable under Sections 147,
148, 149, 341, 302 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case, as lodged by the informant, is
that while he was taking his grand father Mahendra Panjiyara for
deposing as witness, 12 persons in four motorcycles intercepted
and one Papu hit his grand father on the temple and one
Dhananjay Panjiyara hit on the chest by pistol, resultantly the



grand father of the informant succumbed to the injuries.

It has been submitted by the learned counsel for the petitioner that he is innocent and no overt act has been alleged against him. He bears no criminal history and is languishing in judicial custody since 22.08.2017. He submits that main assailants are two other named in the F.I.R. and the postmortem report also specifies only two injuries. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

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

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on 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, Banka in connection with Amarpur P.S. Case No. 359 of 2015, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner, who will file an affidavit stating his relationship with the petitioner.



(2) Petitioner 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 his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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