

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6642 of 2018

Arising Out of PS. Case No.-282 Year-2017 Thana- BIKRAMGANJ District- Rohtas

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1. Suraj Ram Pandey @ Surya Ram Pandey, Son of Late Rampyara Pandey,
 2. Sunil Pandey, Son of Late Nanku Pandey,
Both Residents of Village- Semra, P.S.- Bikramganj, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Kamla Kant Pandey, Adv.
For the Opposite Party/s :	Mr. Harendra Prasad, A.P.P.
	Mr. Ramashray Roy, Adv.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 28-03-2018 Heard Sri Kamla Kant Pandey, learned counsel for the petitioners, Sri Harendra Prasad, learned Addl. Public Prosecutor as well as Sri Ramashray Roy, learned counsel, who has voluntarily appeared on behalf of the informant.

Two petitioners, apprehending their arrest in Bikramganj P.S. Case No.282 of 2017 registered for the offence under Sections 341, 323, 307, 379, 504/ 34 of the Indian Penal Code, have prayed for grant of bail, in the event of their arrest or surrender.

By way of referring to the F.I.R. learned counsel for the petitioners submits that petitioners are own Pattidars of the informant side and on trivial issue, almost all family members



of the petitioners have been arrayed as accused in the F.I.R. He submits that even femal members of the petitioners, namely, Sapna Kumari aged about 22 years, Raj Laxmi Kumari aged 20 years and Puja Kumari aged 19 years and other ten persons including the petitioners have been arrayed as accused in the F.I.R.. He submits that entire family members of the petitioners have been arrayed as accused in the case. Accordingly, a prayer has been made for grant of anticipatory bail.

Learned Addl. Public Prosecutor as well as learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioners. Sri Roy, learned counsel for the informant submits that it is true that in the F.I.R., thirteen persons were arrayed as accused, however during investigation, female members have been exonerated by the police. He submits that accusation levelled in the F.I.R. is true and serious injury was received on the informant side and they have been treated in the hospital. He further submits that besides other Sections, Section 307 of the Indian Penal Code has been mentioned. Accordingly, it has been argued that the petitioners are not entitled to get privilege of anticipatory bail.

However, besides hearing learned counsel for the parties, I have also perused the material on record, particularly the F.I.R.



and after going through the same, it is evident that entire family memers have been made accused and this is the reason for extending the privilege of anticipatory bail. Accordingly, in the event of their arrest or surrender within a period of six weeks from today, let both the aforesaid petitioners, namely, (i) Suraj Ram Pandey @ Surya Ram Pandey and (ii) Sunil Pandey be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bikramganj in connection with Bikramganj P.S. Case No.282 of 2017, subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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