

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48509 of 2018

Arising Out of PS.Case No. -204 Year- 2018 Thana -BIHIYA District- BHOJPUR

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1. Ashutosh Pandey @ Lallu Pandey S/o Sri Tej Narayan Pandey, R/o Vill.-
Raja Bazar Bhihiya, P.S.- Bihiya in the District of Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-08-2018

Heard the parties.

The petitioner seeks anticipatory bail in connection with
Bihiya P.S. Case No.204 of 2018, G.R. No.2355 of 2018
registered for offences punishable under Sections 457/380 of the
Indian Penal Code.

As per F.I.R., allegation against the petitioner along with
other unknown 100 persons is of assaulting a person, causing
death.

Submission of the learned counsel for the petitioner is that
the petitioner has been falsely implicated in this case and the
petitioner has already lodged a case bearing Bihiya P.S. Case No.
205 of 2018 against one unknown person. It is further submitted
that there is no material to show the participation of the petitioner



for assaulting the deceased and a large number of accused persons have been assaulted to the deceased and there is no specific allegation of assault against the petitioner.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named on surrender or arrest within six weeks be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Ara, Bhojpur in connection with Bihiya P.S. Case No.204 of 2018, G.R. No.2355 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

Sudha/Ranjeet

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