

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58919 of 2018

Arising Out of PS. Case No.-326 Year-2018 Thana- BUXAR District- Buxar

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1. Bhanu Pandey @ Manish Pandey,
 2. Anish Pandey, Both Sons of Sunil Pandey, Resident of Village Near I.T.I. field P.S. Buxar (T), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 302, 307, 504, 506 of the Indian Penal Code.

The prosecution case, in short, is that on 19.06.2018 in Tilak function of one Santosh Kumar, some altercation took place between Sonu Pal and Rishi Ojha. When Sonu Pal was returning, the accused persons surrounded him and accused Rohit Singh caught hold of Sonu Pal and accused Golu Pandey fired on Sonu Pal, due to which he fell down and was taken to the Hospital where he was declared dead.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. The main allegation is against co-accused Golu Pandey for causing injury upon the deceased. So far the petitioners are concerned, no injury upon the deceased is caused by them. At best, the petitioners are members of unlawful assembly. No specific overt act is alleged against the petitioners. Other co-accused has been granted anticipatory bail vide Cr.Misc.No.52565 of 2018.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in connection with Buxar (Town) P.S. case No.326 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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