

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24128 of 2019

Arising Out of PS. Case No.-201 Year-2015 Thana- KOILWAR District- Bhojpur

Sanjay Pandey, aged about 35 years (Male), S/O- Late Rameshwar Adhaar Pandey, Resident of Village- Pachrukhiya Kala, P.S. Koilwar in the district of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Koilwar
P.S. Case No. 201 of 2015 registered under Sections
341/323/379/302/34 of the Indian Penal Code.

According to F.I.R., the petitioner and others, initially
star ted assaulting against the uncle of the informant with slaps
and fists and subsequently thrashed him on the ground, as a
result whereof, he died during course of treatment.

Learned counsel for the petitioner submits that the
petitioner is in custody since 12.02.2019. Even if the allegation
is assumed to be correct, the intention to commit murder is not
made out from the allegations levelled. Moreover, false
allegation is there just for land dispute. The other co-accused,
namely, Satyendra Pandey has been granted bail by a Co-



ordinate Bench of this Court vide order dated 24.04.2018 passed in Cr. Misc. No. 22701 of 2018.

In the 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 Chief Judicial Magistrate, Bhojpur, Ara in connection with Koilwar P.S. Case No. 201 of 2015, subject to the following conditions :

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The 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.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Anjani Kumar Sharan, J)

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