

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29090 of 2019

Arising Out of PS. Case No.-363 Year-2018 Thana- PIRO District- Bhojpur

ABHISHEK KUMAR PANDEY @ BITTOO Son of Tarkeshwar Pandey
Resident of Village - Paliya, P.S.- Rajpur, District- Buxar. At present -Buxar
College Gate, Gali No. 1 Charitravan, P.S.- Buxar Nagar, District- Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Piro P.S. Case No. 363 of 2018**, instituted for the offence under Section(s) 399, 402, 307, 353 of the Indian Penal Code, Sections 25(1-B)a, 26, 27 and 35 of Arms Act.

Counsel for the petitioner submits that petitioner is in custody since 15.11.2018. In the written report there is no allegation of specific overt act against petitioner. The specific allegation is against co-accused Hero Singh of making firing on the Police Party.

It is alleged in the written report that one country made pistol loaded with two cartridges has been recovered



from possession of the petitioner.

Petitioner is in custody since 15.11.2018 having clean antecedent.

Keeping in view the period spent by the petitioner in custody, prayer of the petitioner for grant of bail is allowed. 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 **learned Chief Judicial Magistrate, Bhojpur, Ara**, in connection with **Piro P.S. Case No. 363 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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