

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38253 of 2019

Arising Out of PS. Case No.-288 Year-2019 Thana- BUXAR District- Buxar

1. Abhishek Pandey, S/o Krishnakant Pandey, R/o village- Ahirauli, P.S.- Buxar (Town), District- Buxar
2. Rahul Pandey, S/o Krishnakant Pandey, R/o village- Ahirauli, P.S.- Buxar (Town), District- Buxar
3. Mani Pandey @ Sujeet Pandey, S/o Surendranath Pandey, R/o village- Ahirauli, P.S.- Buxar (Town), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Kumar Ojha
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 16-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Buxar (Town) P.S. Case No. 288 of 2019, registered under Sections 353, 323, 333, 307 and 504/34 of the Indian Penal Code.

The accusation is that informant along with other police personnel were engaged in checking the vehicles near Syndicate Main Road, Buxar. At that time, four persons were seen coming on motorcycle. On giving the signal to stop the motorcycle, while the motorcycle was stopped but all started to abuse and caused assault to the police personnel and they also called other persons to assist them. Thereafter, on chased, they succeeded to flee away while one person



was apprehended, who disclosed his name as Prithu Choubey. On query, Prithu Choubey also disclosed the name of five persons including the petitioners, who succeeded to flee away.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that petitioners were not apprehended at the spot rather their names have come in the confessional statement of Prithu Choubey, who was apprehended at the spot and petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Buxar, in connection with Buxar (Town) P.S. Case No. 288 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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