

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.60515 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- BAGENGOLA District- Buxar

1. UMA SHANKAR PANDEY, aged about 55 years, Male, Son of Sheo Parsan Pandey, Resident of Village-Pokharaha, P.S.-Bagen Gola, District-Buxar
2. Vijay Pandey, aged about 47 years, Male, Son of Sheo Parsan Pandey, Resident of Village-Pokharaha, P.S.-Bagen Gola, District-Buxar
3. Ajay Pandey, aged about 45 years, Male, Son of Sheo Parsan Pandey, Resident of Village-Pokharaha, P.S.-Bagen Gola, District-Buxar
4. Vikrama Pandey, aged about 46 years, Male, Son of Sheo Parsan Pandey, Resident of Village-Pokharaha, P.S.-Bagen Gola, District-Buxar.
5. Rahul Pandey, aged about 45 years, Male, Son of Uma Shankar Pandey, Resident of Village-Pokharaha, P.S.-Bagen Gola, District-Buxar

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Dharendra Kumar Sinha, Adv.
For the Opposite Party : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-09-2019

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Bagen Gola P.S. Case No. 46 of 2019 for the offences alleged under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that while the informant, Nandu Pandey, was at his field in the evening of 09.07.2019, at that time, petitioners, along with Shrikant Pandey, reached there and started making indiscriminate firing to show the supremacy, who are accused in theft and murder cases.

The submission of the learned counsel for the petitioners is that it would appear from the first information report that none has sustained injury. While the petitioners are accused in Bagen Gola P.S.



Case No. 25 of 2017, but, all are on bail. The petitioner no. 1, Uma Shankar Pandey, is also accused in Brahmpur P.S. Case No. 89 of 1994, but, he is also on bail in that case as detailed in paragraph 3 of the petition. The petitioners were also accused in Bagen Gola P.S. Case No. 10 of 1992 corresponding to S. Tr. No. 150 of 1993 lodged by the informant of the present case, but, on trial, petitioners have been acquitted on 09.05.2007.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Bagen Gola P.S. Case No. 46 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, I, Buxar, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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