

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73644 of 2018

Arising Out of PS. Case No.-322 Year-2018 Thana- SAHPUR District- Bhojpur

Munna Pandey Son of Surendra Pandey, Resident of Village Shivpur P.S.
Sahpur, District Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 06-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 323, 307,34 IPC and Section 27 of the Arms Act registered in connection with Shahpur P.S. Case No. 322 of 2018.

3. It is submitted that the petitioner has been falsely implicated with the accusation that the petitioner fired on the buffalo and the splinter hit Janardan Pandey. Injury report of the said Janardan Pandey shows injury of simple nature caused by hard blunt substance which therefore does not support the accusation of firing. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel appearing for the informant *suo motu* oppose the anticipatory bail petition.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM XIV, Bhojpur at Ara, in connection with Shahpur P.S. Case No. 322



of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran/-

(Vikash Jain, J)

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