

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63492 of 2019**

Arising Out of PS. Case No.-280 Year-2019 Thana- BIKRAMGANJ District-
Rohtas

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KRISHNA PANDEY @ KRISHANAKANT PANDEY Son of Late Bishwanath
Pandey Resident of Village - Kajhai, P.S.- Bikramganj, Distt.- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Satish Kumar Sinha, Advocate.

For the Opposite Party: Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302, 109/34 of the Indian Penal Code registered in connection with Bikramganj P.S. Case No. 280 of 2019.

3. It is submitted that the petitioner has been falsely implicated in connection with killing of the informant's son. From the averments in the F.I.R. discloses that the main assailant is co-accused Sunil Pandey who dealt a knife blow to the deceased. The petitioner's name has been added in the F.I.R. alleging that he instigated co-accused Sunil Pandey. It is submitted that the accusation against the petitioner who is said to have been in drunken condition is not corroborated as the provisions of the Prohibition Act has not been invoked in the F.I.R. The petitioner claims clean antecedents.

4. 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 Additional Chief Judicial Magistrate, Bikramganj (Rohtas) in connection with Bikramganj P.S. Case No. 280 of 2019, 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 cooperate 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) That 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.

(Vikash Jain, J)

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