

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64255 of 2019

Arising Out of PS. Case No.-554 Year-2018 Thana- GAYA KOTWALI District- Gaya

PAPPU PANDEY (Male), aged about 29 years, Son of Late Lakhan Pandey,
Resident of Mohalla- Murarupur, B.N. Jha Road, Police Station- Kotwali and
District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Manish Kumar No. 2, Advocate.
For the Opposite Party : Mr.Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 341, 323 and 304/34 of the IPC.

The prosecution story, in brief, is that the petitioner
alongwith other accused persons assaulted and pushed the
deceased from the roof as a result thereof, she fell down and
received injury. Ultimately, she died during treatment in
P.M.C.H.

It has been submitted by learned counsel for the
petitioner that the petitioner is languishing in custody since
02.08.2019. The petitioner has got no criminal antecedent. The
petitioner has falsely been implicated in the present case. There
is no allegation of tampering with the witnesses alleged against
the petitioner. Both parties are agnates. Due to property dispute,



the alleged occurrence has taken place. It is alleged that the accused persons including the petitioner had pushed the deceased from the Terrace. He had no intention to commit murder of the deceased. The case has been instituted for an offence under Section 304 of the IPC. It is, at best, a case for an offence under Section 304 (Part-2) of the I.P.C. Similarly situated co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 42727 of 2019 under order dated 10.07.2019 vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Gaya, in connection with Kotwali P.S. Case No. 554 of 2018.

(Sudhir Singh, J)

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