

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80540 of 2019

Arising Out of PS. Case No.-457 Year-2018 Thana- JAMUI District- Jamui

RAJESH PANDIT, aged about 26 years, Male, Son of Mauleshwari Pandit @
Maleshwari Pandit, Resident of Village Kakan, P.S.- Jamui, District - Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Niranjana Parihar, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 302/34, 120(B) of the IPC
and 27 of the Arms Act.

The prosecution story, in brief, is that on the alleged
date and time of occurrence, while the informant alongwith her
husband was sitting at her door, the petitioner alongwith other
co-accused persons came to her house and started hurling
abuses. On protest was being made by her, co-accused Sanjay
Pandit opened firearm from his pistol on the informant's



husband as result of which, he succumbed to injuries. The genesis of occurrence is due to land dispute between the parties.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The main allegation is against co-accused Sanjay Pandit who is said to be the main assailant. Neither there is specific overt act alleged against the petitioner nor there is specific injury attributed against the petitioner. The participation of the petitioner is only being suspected as a conspirator. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case.

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, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 C.J.M. Jamui, in connection with Jamui P.S. Case No. 457 of 2018, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

