

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.772 of 2020**

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

1. KALLU PANDEY
2. Mintu Pandey @ Mantu Pandey, Both petitioners are Sons of Surendra Pandey, Resident of Village - Shivpur, P.S. - Shahpur, District - Bhojpur
- ... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ramanath Kumar, Advocate  
For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      07-10-2020                      The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 323, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioners are assailants of Archana Devi and Krishna Kant Pandey.

Earlier prayer for bail was refused on 15.05.2019 in Cr. Misc. No. 15119 of 2019.

The report of the learned Trial Judge reveals that the case is still at the stage of prosecution evidence.

Learned counsel for the petitioners submits that the



petitioners are in custody since 29.01.2019. Some of the eyewitnesses have stated before the police that in fact not the petitioner Kallu Pandey, rather Bhola Pandey had fired at the deceased.

Considering the entire facts of this case and no chance of conclusion of the trial in near future, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.T. No. 171 of 2019 arising out of Sahpur Police Station Case No. 322 of 2018, subject to the following conditions:-

(a) The petitioners shall fully cooperate with the trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioners.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioners shall not leave the country without permission of the court.

**(Birendra Kumar, J)**

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