

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12689 of 2019

Arising Out of PS. Case No.-22 Year-2018 Thana- PURNEA SADAR District- Purnia

Shayam Sundar Pandey Son of Bhola Pandey Resident of Village - Soheban
Tola, P.S.- Madhubani, District - Purnea (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

10 24-02-2020

Heard learned counsel for the parties.

The petitioner apprehends his arrest in Sadar Purnea
P.S. Case No. 22 of 2018 registered for the offence under
Sections 147, 148, 149, 341, 323, 307, 427, 120(B), 420, 467,
468 and 471 of the Indian Penal Code.

In sum and substance, the prosecution case, in
brief, is that there was *Jamabandi* in the name of informant and
petitioner, in connivance with local Mafias, wanted to grab his
land. On 26-12-2015, when informant, knowing this fact, went
to his land, he saw measurement of land was being done by
petitioner alongwith other accused persons, upon protest,
accused person assaulted him and his son.

It is submitted on behalf of petitioner that petitioner
is innocent and has committed no offence and informant is
habitual in filing such types of fake & false cases against the
petitioner. It is further submitted that similar case was earlier



lodged against the petitioner, vide Sadar P.S. Case No. 246 of 2016, in which, final form has been submitted by police. It is also submitted that there is delay of more than two years in lodging present F.I.R.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge Purnea in connection with Sadar Purnea P.S. Case No. 22 of 2018 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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