

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10463 of 2020

Arising Out of PS. Case No.-389 Year-2019 Thana- LALGANJ District- Vaishali

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ARVIND PANDEY S/o Late Pandey R/o Village-Lakhan Sarai, P.S.-Lalganj,
District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-02-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Lalganj P.S. Case No. 389 of 2019, disclosing offences punishable under Sections 341, 323,307,302,504,506,120B of the Indian Penal Code and Section 27 of the Arms Act.

If the allegation made in the First Information Report is taken to be correct, the dispute was of trivial nature in the sense that the accused persons were demanding a treat from the deceased, who was employed in S.S.B. He had declined the request. It is alleged that in retaliation co-accused Uday Pandey and co-accused Prabhakar fired at the deceased because of which deceased and the informant both of sustained fire arm injuries. The informant's brother succumbed to the injuries



subsequently.

Learned counsel appearing on behalf of the petitioner has submitted that he is the father of co-accused Uday Pandey and he has been implicated with the only allegation that he had instigated his sons to fire at him.

I find force in the submission made on behalf of the petitioner that there is no such allegation against the petitioner as to constitute an offence punishable under Section 302 of the Indian Penal Code.

This application is, accordingly, allowed.

Let the petitioner above-named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 389 of 2019.

(Chakradhari Sharan Singh, J)

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