

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13435 of 2020

Arising Out of PS. Case No.-184 Year-2019 Thana- GOPALPUR District- Bhagalpur

Bihari Pandit Son of Anandi Pandit Resident of Village- Sadhuwa, P.S.-
Gopalpur (Rngra), Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyama Nand Thakur

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

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

The petitioner is apprehending his arrest in a case
registered under Sections 307, 506 and 34 of the Indian Penal
Code and 27 of the Arms Act.

The prosecution case, in short, is that the accused
persons threatened the family members of informant to give
evidence in their favour and also fired at them.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioner. None is said to have been injured in course of the occurrence. Hence, no offence under Section 307 IPC is made out. The petitioner has been made accused due to mistake of fact.

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

Considering the facts and circumstances of the case and also the lockdown, 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 his personal bond to the satisfaction of learned A.C.J.M. -III, Naugachia, Bhagalpur in connection with Gopalpur (Rangra) P.S. Case No. 184/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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