

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14507 of 2020

Arising Out of PS. Case No.-224 Year-2019 Thana- GOPALPUR District- Gopalganj

1. Vinod Pandey @ Vinody Pandey @ Binod Pandey Son of Late Babulal Pandey Resident of Village - Khalgaon, P.S.- Gopalpur, District - Gopalganj.
2. Prakash Pandey Son of Late Babulal Pandey Resident of Village - Khalgaon, P.S.- Gopalpur, District - Gopalganj.
3. Amod Pandey @ Amod Pandey Son of Late Babulal Pandey Resident of Village - Khalgaon, P.S.- Gopalpur, District - Gopalganj.
4. Dhelu Pandey Son of Prakash Pandey Resident of Village - Khalgaon, P.S.-Gopalpur, District - Gopalganj.
5. Priyanka Devi Wife of Amod Pandey @ Amod Pandey Resident of Village -Khalgaon, P.S.- Gopalpur, District - Gopalganj.
6. Urmila Devi Wife of Vinod Pandey @ Vinody Pandey @ Binod Pandey Resident of Village - Khalgaon, P.S.- Gopalpur, District - Gopalganj

..... Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 14-12-2020 Heard learned counsel for the petitioners and learned counsel for the State through video conferencing.

So far as the petitioner no. 1 is concerned, on account of his arrest, his application for bail was withdrawn by order dated 19.6.2020.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Gopalpur P.S. Case no. 224 of 2019 registered under



sections 307, 380, 341, 323, 324, 447, 448, 504 and 34 of the Indian Penal Code.

As per allegation in the FIR, the six accused persons who are the petitioners herein along with unknown entered the house of the informant variously armed. It is stated that the petitioner no. 1 put his revolver on the temple of Kunal Krishna Prasad while the petitioner no. 2 tied him up. The petitioner nos. 4, 5 and 6 took away goods worth of Rs. 1 lakh and Rs. 50,000/- in cash and on hulla being raised by the informant, the petitioner no. 3 assaulted him with the butt of revolver.

It is submitted by learned counsel for the petitioners that so far as the petitioner no. 2 is concerned, besides being named as one of the accused who had entered the house of the informant, there is no allegation against him. So far as petitioner nos. 4, 5 and 6 are concerned, it is submitted that petitioner nos. 5 and 6 are ladies and allegations against them is only of threat. It is submitted that the allegation against petitioner no 2 is false and concocted and no such assault as alleged has been made by him. The petitioners have no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and



taking into consideration the allegation of assault against the petitioner no. 3 which is supported by the injury report wherein the injuries have been found to be grievous in nature, the Court is not inclined to enlarge the petitioner no. 3 on anticipatory bail and as such his application is rejected.

In view of the facts and circumstances of the case, the Court is inclined to enlarge the petitioner nos. 2, 4, 5 and 6 on anticipatory bail. The petitioner nos. 2, 4, 5 and 6 are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Gopalpur P.S. Case no. 224 of 2019, they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IX, Gopalganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

Prakash/-

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