

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27541 of 2020**

Arising Out of PS. Case No.-76 Year-2020 Thana- KHAGARIA District- Khagaria

BIKASH PANDIT S/o Sagar Pandir Resident of Village-Bishanpur,
Tribhuwan Tola, P.S.-Muffasil, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Ramsewak Chaudhary, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 20-10-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to remove
the defects within three weeks of resumption of physical court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 307, 504 & 506 of
the Indian Penal Code and Section 25 (1-b)a/26 of the Arms Act.

As per the prosecution case, on the alleged date of



occurrence at about 3:30 PM, the petitioner was disputing with grand-daughter of the informant on the point of construction of house. Informant opposed it and the petitioner fired on the informant's father but the bullet did not hit him. The villagers caught the petitioner and one country made pistol and one empty cartridge along with three live cartridges are said to have been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to family dispute. As a matter of fact, the informant is own father of the petitioner and a dispute was going on between the Bhabhi and Debar with regard to constriction of building and in the meantime the informant came and supported the version of the eldest grand daughter. It is further submitted that the parties to the case has compromised the matter. No one has received injury in the alleged occurrence. It is also submitted that the police has not seized/recovered any fire arms from the possession of the petitioner rather it was given by the informant to the police. The petitioner has no criminal antecedent and has been languishing in custody since 28.01.2020.

Learned APP for the State opposed the bail petition.



Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after 8th November, 2020**, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1stClass, Khagaria in connection with Khagaria (Muffasil) P.S. Case No.76 of 2020, G.R. No.281 of 2020.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

