

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29745 of 2020

Arising Out of PS. Case No.-862 Year-2019 Thana- TURKAULIYA District- East
Champaran

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SATYAM PANDEY @ VISHAL PANDEY Son of Rajeshwar Pandey
Resident of Mohalla - Belisarai, Ward no. 29, Near Pradeep Hotel, P.S.-
Motihari Town, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Atul Shankar
For the Opposite Party/s : Mr.Rajendra Pd. Nat

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2020 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.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

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

The petitioner is apprehending his arrest in a case
registered under Sections 302/34 of the Indian Penal Code and
27 of the Arms Act.

Allegation is that some unknown persons shot at the



son of the informant in a party.

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. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name transpired in this case on the basis of suspicion. In a marriage ceremony, some persons were making firing and in course of that, a person was injured and died. There was no intention to commit murder. There is no specific allegation against the petitioner. General and omnibus allegation has been made. No overt act is alleged against the petitioner. At best, it is a case for an offence under Section 304A of I.P.C.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with



Turkauliya (Raghunathpur) P.S. case No.862 of 2019, subject to
the conditions as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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