

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1446 of 2019

Arising Out of P.S. Case No.-23 Year-2019 Thana- ISHIPUR District- Bhagalpur

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BAMBAM PANDEY Son of Prasen Kumar Pandey @ Prasen Pandey
Resident of Village - Srinagar, P.S.- Ishipur Barahat, District - Bhagalpur.
Under the Guardian ship of his Father nemely Prasen Kumar Pandey @
Prasen Pandey, Aged about 41 Years, Son of Baijnath Pandey, Resident of
Village - Srinagar, Rifadipur, P.S.- Ishipur Barahat, District - Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Respondent/s : Mrs.Nirmala Kumari,APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 22-05-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has filed the present application for
setting aside the order dated 26.9.2019 passed by 1st Additional
Sessions Judge, Bhagalpur in Cr. Appeal No. 68 of 2019, Tr. No.
4/2019 and the order dated 14.8.2019 passed by the J.J. Board,
Bhagalpur in G.R. No. 943/2019 arising out of Ishipur Barahat
P.S. Case No. 23 of 2019.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent. The name of the petitioner
surfaced in the case only because he was seen in the company of
the deceased and only on suspicion he has been made accused.

In this case social investigation report and the report
of the Probation Officer were called for. The Social



Investigation Report indicates that the petitioner is religious minded and interested in academic and sports activities. The report suggests that the petitioner is not in any manner a threat to the society. The petitioner is in custody since 3.8.2019.

Considering the facts and circumstances discussed above, the application is allowed. The order dated 26.9.2019 passed by the 1st Additional Sessions Judge, Bhagalpur in Cr. Appeal No. 68 of 2019, Tr. No. 4/2019 and the order dated 14.8.2019 passed by the J.J. Board, Bhagalpur in G.R. No. 943/2019 arising out of Ishipur Barahat P.S. Case No. 23 of 2019 are set aside.

Let the petitioner, named above, be released on bail on furnishing his personal bond to the satisfaction of the J.J.Board, Bhagalpur in connection with Ishipur Barahat P.S. Case No. 23 of 2019, G.R. No. 943 of 2019 and handed over to the custody of his father forthwith, in view of the extra ordinary situation prevailing due to Covid-19.

(Anil Kumar Upadhyay, J)

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