

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82121 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- DINARA District- Rohtas

1. Pramod Pandey, Male, aged about 28 years, Son of Sidnath Pandey
2. Binod Pandey, Male, aged about 30 years, Son of Sidnath Pandeyk, both resident of Village - Gaura Tola Lilwachh, P.S.- Dinara, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sada Nand Roy, Advocate
For the State	:	Mr.Dilip Kumar No.1, A.P.P.
For the Informant	:	Mr. Babu Nandan Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-02-2020 Heard learned counsel for the petitioners, the informant and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dinara P.S. Case No. 207 of 2019 registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged in her written complaint that on 27.07.2019 at about 2:00 p.m., FIR named accused including petitioners reached her cultivable field and prevented her family members from sowing paddy in the field claiming that it belongs to them, however, her brother-in-law protested and stated that field belongs to them upon which there is allegation against Ashok Pandey of firing upon him which hit above



eyebrow as well as hit left shoulder.

It has been submitted in behalf of the petitioners that they are innocent and have been falsely implicated in this case as he had a poultry form in said disputed field. There is no allegation of any over act against them. The Sessions Judge in his order while rejecting the bail application has found that injuries sustained by victim is simple in nature. Petitioners have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused person has been granted anticipatory bail by this Co-ordinate Bench of this Court vide order dated 21.01.2020 passed in Cr. Misc. No.72771 of 2019.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Dinara P.S. Case No. 207 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C. with following conditions :-

(1) Bailors should be local having sufficient



immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bond.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Anjani Kumar Sharan, J)

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