

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13319 of 2021**

Arising Out of PS. Case No.-432 Year-2020 Thana- CHOUTARWA District- West
Champaran

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Ramdayal Pandey @ Ramdyal Pandey Son Of Late Yogendra Pandey
Resident Of Village - Chautarwa, Police Station - Chautarwa, District - West
Champaran (Bettiah).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Milind Kumar Mishra

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

2 07-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal 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 connection with Chautarwa P.S.
Case No. 432 of 2020 registered for the offence punishable under
Sections 341, 323, 324, 307, 504 of the Indian Penal Code and
Sections 25(1-b)a, 26, 27 of the Arms Act.

Allegation against the petitioner is that he assaulted and fired
upon the informant by gun-shot because of non fulfillment of his
demanded bribe (money) from his shop. It is alleged that petitioner
assaulted the informant with spade on his back due to which he fell



down.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that petitioner never had a *katta* with him when he approached the shop of the informant, it was the father of the informant who tucked *katta* in his waist just to make the case serious in nature. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 10.10.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid and the period of custody of the petitioner, the above named petitioner is directed to be enlarged on bail, 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 court below where the case is pending in connection with Chautarwa P.S. Case No. 432 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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