

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18609 of 2021

Arising Out of PS. Case No.-384 Year-2019 Thana- BAIRIYA District- West Champaran

ABHINAW PANDEY @ ABHINAV KUMAR PANDEY Son of Malik Pandey Resident of Village- Saraiya, P.O.- Ojhwalia, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Kumar Tiwary
For the Opposite Party/s : Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 06-12-2021 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bairiya P.S. Case No. 384 of 2019 registered under Sections 147, 148, 149, 341, 323, 342, 307, 332, 333, 353, 427, 436, 504, 506, 129(B) of the Indian Penal Code and $\frac{3}{4}$ of the Public Property Damage Act.

Learned counsel appearing on behalf of the petitioner submits that similarly situated co-accused persons have already been allowed bail by a Co-ordinate Bench of this Court vide Cr. Misc. No. 31648 of 2020 on 12.02.2021, as contained in Annexure-2 to the supplementary affidavit filed on behalf of the petitioner.

Having considered the above facts and circumstances

of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M.-I, Bettiah in connection with Bairiya P.S. Case No. 384 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C. 1973, and further (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailor shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioners shall also give an undertaking to the Court that they shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bond or the undertaking shall lead to cancellation of his bail bond. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bond.

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(Arvind Srivastava, J)