

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26860 of 2021

Arising Out of PS. Case No.-372 Year-2019 Thana- HISUWA District- Nawada

Sandip Pandit Son of Krishna Pandit Resident of Village - Bazra Tola,
Fathepur, P.S.- Hisua, Distt.- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 03-12-2021 Heard Mr. Sheo Kumar Prasad, learned counsel for
the petitioner and learned Additional Public Prosecutor through
video conferencing.

The petitioner who is in custody since 10.01.2021
seeks regular bail in connection with Hisua P.S. Case No.
372/2019 for the offence punishable under sections 147, 148,
323, 341, 307, 149, 302 of the Indian Penal Code.

The prosecution story in brief is that the informant
ASI of Hisua Police Station disclosed that he got information on
telephone that some villagers were assaulting a person calling
him child thief. When the informant reached the place of
occurrence, the villagers disclosed the name of this petitioner
alongwith other persons. The police took injured named as
Amarnath Goswami @ Basuki Nath whose condition was very



serious to the hospital for treatment, but he died during treatment.

Learned counsel for the petitioner submits that the informant is not an eye witness of the occurrence. The name of the petitioner was disclosed by the villagers. The informant did not disclose the name of the person who informed him about the names of the assailants of the deceased.

It is further submitted that the nothing has come against him and he is in custody on the basis of suspicion. Learned counsel further submits that similarly circumstanced co-accused Krishana Pandit, Sarju Prajapati and Kailash Yadav have been granted bail by different benches of this Court vide order dated 19.10.2020, 9.9.2020 and 28.8.2020 passed in Cr. Misc. Nos. 23007 of 2020, 23180 of 2020 and 18452 of 2020 respectively.

Learned counsel appearing on behalf of the State has opposed the prayer for bail of the petitioner.

Considering the above, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Hisua P.S. Case No.



372 of 2019 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers 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 petitioner.

(Purnendu Singh, J)

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