

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44688 of 2021**

Arising Out of PS. Case No.-436 Year-2020 Thana- LAXMIPUR District- Jamui

SONU PANDEY @ SONU KUMAR PANDEY, aged about 22 years, Gender- Male, Son of Pankaj Pandey, Resident of Village - Gram - Karanpur, Post - Kala, P.S. - Laxmipur, District - Jamui, Bihar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ankit Kumar, Advocate
For the Opposite Party : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 03-12-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioner and learned counsel for the State through virtual mode.

The petitioner is apprehending his arrest in connection with Laxmipur P.S. Case No. 436/2020 for the offence registered under Sections 147, 148, 149, 341, 342, 387, 324, 307, 504 of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that the wife of the petitioner, namely, Bhawani Devi, is the *Deputy Mukhiya* of *Media Panchayat* and a work was going on under the scheme of '*Mukhya Mantri Seven Nishchay Yojana*' in the supervision of the elder son of the informant. It has further been alleged that the accused persons including the petitioner who are noted



criminal, started demanding *Rangdari* of Rs. 1,00,000/- and they also threatened to kill in case of non-fulfilment of *Rangdari* demanded and on 06.12.2020 at about 5.30 P.M., when the informant was coming towards his house alongwith his son and as soon as they reached near the house of Gopali Lal, all the accused persons were assembled there from before and Sonu Pandey (petitioner) abused by saying that *Bambamwa* has come, finish it, and accused persons, namely, Bhibhuti Pandey, Rajesh Pandey and Sonu Pandey (petitioner) caught the son of the informant and Pinku Pandey shot fired over *Panjra* of the son of the informant, namely, Bambam and due to which, Bambam received injury in his *Panjra* and he fell down on the earth and thereafter, one more fire was opened on the person of the son of the informant but by the grace of God, which did not hit him and on hulla, when nearby people assembled, accused persons fled away making firing. It has been further alleged that the son of the informant was brought to Sadar Hospital, Jamui, in serious condition, and from where, he was referred to Patna for better treatment.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the



witnesses alleged against the petitioner. The petitioner alongwith two others are said to have caught hold of the victim. The main allegation of assault is alleged against co-accused Pinku Pandey and Ram Ratan who are said to have fired upon the victim. There is no allegation of assault alleged against the petitioner. None has been injured in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Jamui in connection with Laxmipur P.S. Case No. 436/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

