

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33564 of 2020

Arising Out of PS. Case No.-22 Year-2020 Thana- MURAR District- Buxar

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1. Jitendra Pandey @ Lal Bihari Pandey, male aged about 55 years, Son of Late Devan Pandey.
 2. Dadan Pandey, male, aged about 60 years, Son of Late Devan Pandey.
 3. Anil Pandey, male, aged about 46 years, Son of Late Lalan Pandey.
- All resident of Village- Basantpur, P.S.- Murar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-03-2021 Mr. Satyapal Singh, learned Advocate for the

petitioners seeks permission to withdraw this application with

respect to petitioner No. 1/Jitendra Pandey @ Lal Bihari

Pandey, who has surrendered before the Court below.

The prayer is allowed.

The application with respect to above-named

petitioner No. 1 is dismissed as having become infructuous.



Heard the counsel for the parties.

The petitioner Nos. 2 and 3, viz., Dadan Pandey and Anil Pandey seek bail in anticipation of their arrest in connection with Murar P.S. Case No. 22 of 2020, dated 11.03.2020, instituted for the offences under Sections 147, 148, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

There was a dispute with respect to a drainage in which the informant claimed that one Anil Pandey (petitioner No. 3) had put an obstruction. Because of the dispute which arose, there was a physical scuffle between the parties. The petitioner Nos. 2 and 3 are said to have assaulted the informant and his brother, but that assault has led to injuries which have been opined to be simple in nature.

The mother of petitioner No. 3 has also filed a case against the informant of the present case *vide* Murar P.S. Case No. 23 of 2020.

So far as the allegation of firing is concerned, it has been attributed to petitioner No. 1 whose application has been dismissed as having become infructuous. Thus, the



gunshot injury received by one Vinay Kumar Pandey cannot be attributed to petitioner Nos. 2 and 3.

Regard being had to the facts afore-stated, the petitioner Nos. 2 and 3, *viz.*, Dadan Pandey and Anil Pandey, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Murar P.S. Case No. 22 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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