

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40699 of 2020

Arising Out of PS. Case No.-101 Year-2020 Thana- RAGHOPUR District- Supaul

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Mithun Pandey Son of Late Ram Narayan Pandey Resident of Village -
Simrahi, Dinadas Tola, P.S. - Raghapur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 24-02-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Raghapur P.S. Case No.
101 of 2020 registered for the offence under Section 302 of the
Indian Penal Code and Section 27 of the Arms Act.

As per the FIR, while the informant was cooking
inside her house, she heard the sound of gun-shot and when she
came out, she found her husband dead. It is further stated in FIR
that the informant lived in the house with her younger son
Mithun Pandey (Petitioner).

It is submitted on behalf of petitioner that FIR has
been lodged against unknown. Name of petitioner has come
during course of investigation on the suspicion raised by the
elder son of informant and deceased. Petitioner has been falsely
implicated in this case by his elder brother with a view to grab



the share of petitioner in the family property. Informant has not raised any suspicion or doubt against this petitioner. Petitioner is in custody since 24.08.2020, having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur, Supaul in connection with Raghopur P.S. Case No. 101 of 2020 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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