

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.939 of 2021

Arising Out of PS. Case No.-137 Year-2020 Thana- CHHAURADANO District- East
Champaran

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Tunna Pandey Son of Laxmi Narayan Pandey Resident of Village - Sripur
Tola Belwadih, P.S.- Chhauradano, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-04-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Chhauradano
P.S. Case No.137 of 2020 registered for the offence punishable
under Sections 302, 120B of the Indian Penal Code and 27 of
the Arms Act.

As per the prosecution case, son of the informant was
taken away by two accused persons namely Pawan Kumar
Pandey and Chunchun Pandey @ Chanchal Pandey on
motorcycle. Informant followed them and found that his son
was brought at the place of Shivchandra Pandey where this
petitioner and others were present. As soon the informant
reached there, he heard sound of firing and all accused persons



started fleeing away after injuring his son by fire arm on his left temple who died in due course.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent as he has not committed any offence as alleged in the FIR and has been falsely implicated in this case. The specific allegation is against Pawan Kumar Pandey and Chunchun Pandey @ Chanchal Pandey as the persons who came and took son of the informant with them. From perusal of the F.I.R., it appears that the suspicion has been raised against the petitioner but petitioner was not seen armed with any weapon at the place of occurrence. As per para-52 of the case diary, I.O. mentioned the confessional statement of Pawan Pandey who accepted his guilt and also accepted that on refusal of giving the money he shot Raja Babu Kumar (deceased). The post mortem report mentioned the cause of death due to shock and hemorrhage due to fire arm injury. There is no specific overtact leveled against the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 12.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below in connection with Chhauradano P.S. Case No.137 of 2020.

(Anjani Kumar Sharan, J)

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