

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.561 of 2021

Arising Out of PS. Case No.-637 Year-2017 Thana- BODHGAYA District- Gaya

GAURI SHANKAR PANDEY @ KITTU PANDEY S/o Late Munni Pandey
R/o Newatapur, P.S. - Bodh Gaya, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 24-05-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 324, 326, 307,
302 of the Indian Penal Code.

The allegation against the petitioner is that the
petitioner, along with his wife and other accused persons pulled
the father of the informant on ground and other accused persons
assaulted him by means of knife, leading to the death of the
father of the informant.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is case and counter case between the
parties. He submits that charge-sheet has already been submitted
and there is no allegation of tampering with the prosecution



witnesses by the petitioner. He submits that the petitioner has no criminal antecedent and allegation is general and omnibus of assault. He further submits that petitioner is languishing in judicial custody since 12.01.2020.

Considering the fact that petitioner is the main assailant in the present case, I am not inclined to enlarge the petitioner on bail. Accordingly, his payer for bail is rejected in connection with G.R. No. 7349 of 2017 arising out of Bodhgaya P.S. Case No. 637 of 2017 pending before the court of the learned Chief Judicial Magistrate, Gaya.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

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