

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2490 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- SHIVSAGAR District- Rohtas

1. SHYAM SUNDER PANDEY Son of Late Ayodhya Pandey Resident of Village - Konar, P.S. - Sheo Sagar, District - Rohtas at Sasaram.
2. Pankaj Kumar Pandey Son of Surendra Pandey @ Dinesh Pandey Resident of Village - Konar, P.S. - Sheo Sagar, District - Rohtas at Sasaram.
3. Jeetan Pandey @ Jit Narayan Pandey Son of Late Ayodhya Pandey @ Indradev Pandey Resident of Village - Konar, P.S. - Sheo Sagar, District - Rohtas at Sasaram.
4. Raju Kumar Pandey @ Raju Pandey Son of Jeetan Pandey @ Jit Narayan Pandey Resident of Village - Konar, P.S. - Sheo Sagar, District - Rohtas at Sasaram.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 323, 324, 325, 326, 153(A), 295, 307 of the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that the accused



persons, variously armed, assaulted the victim due to which he sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Specific allegation of assault is against co-accuseds, namely, Niraj Pandey, Ishwar Pandey and Rohit Pandey. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

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

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned A.C.J.M. -cum- Sub Judge-VI, Sasaram, Rohtas in connection with Shiv



Sagar P.S. Case No. 110/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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