

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3683 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- BAUNSI District- Banka

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Ganesh Pandit Son of Bhukhan Pandit Resident of Village- Shyam Bazar,
P.S.- Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-05-2022 Heard learned counsel for the petitioner and learned
APP for the State in virtual court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Petitioner seeks bail in a case registered for the offences punishable under Sections 323, 332, 333, 307, 353, 326(A), 188, 269, 270 of the Indian Penal Code and Section 51 of the Disaster Management Act, 2005.

As per prosecution case, in brief, is that on 15.05.2021 at about 10:00 A.M., during patrolling in lockdown for COVID-19 pandemic, the informant along with his staff found that a tea-breakfast shop was running by Ganesh Pandit with the help of his Manager Bhukhan Pandit. It is further alleged that when the



informant tried to close the said shop, accused persons abused and poured boiled oil on the body of the police personnel due to which several police personnel got injured. It is further alleged that both the accused persons also committed maar-peet with Lalan Singh, who was manager of local Hat.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that due to alleged incident, police personnel have been injured and the injury report of the police personnel shows that the injury is simple in nature and the similarly situated co-accused Bhukhan Pandit, who is the father of the petitioner has been granted bail by a Coordinate Bench of this Court vide order dated 15.12.2021 in Cr. Misc. No. 44315 of 2021 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 16.05.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bounsi P.S. Case No. 97 of 2021, with the following conditions :-



(1) Petitioner shall co-operate 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 witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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