

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13655 of 2022

Arising Out of PS. Case No.-335 Year-2021 Thana- ATRI District- Gaya

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NARESH PANDIT Son of Late Baleshwar Pandit Resident of Village-
Jalalpur, P.S.- Atri, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Sr. Adv. Mrs.Vaishnavi Singh, Adv. Mr.Ritwik Thakur, Adv.
For the Opposite Party/s :		Mr.Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-10-2022 Heard learned senior counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 302/34 of the IPC and section 27
of the Arms Act.

Allegedly, the FIR named accused persons are said to
have made firing upon the son of informant resulting into his
death at the spot.

It is submitted by learned senior counsel for the
petitioner that petitioner is quite innocent and has committed



no offence. He is not named in the FIR and has been falsely implicated in this case due to political rivalry. No such occurrence, in the manner as alleged, has ever taken place. As per the F.I.R., there is no allegation against the petitioner to fire upon the deceased but later on it has come in the case diary that witnesses have stated before the police that the petitioner has also made firing upon the informant's son. It is submitted that after investigation, police has filed final form against the petitioner which is pending before the I.G., Gaya Range. Petitioner has two criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that the postmortem report shows two wounds of entry and as per the witnesses, one firing has been inflicted by the petitioner.

Having regard to the facts and circumstances of the case, since police after investigation filed final form against the petitioner which is pending at the level of I.G., Gaya, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 where the case is pending/Successor Court in connection with Atri P.S. Case No.335 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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