

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25819 of 2022

Arising Out of PS. Case No.-157 Year-2015 Thana- PHULIDUMAR District- Banka

ASTHAMA PANJIYARA S/o Prakash Panjiyara Resident of Village-
Nagardih, P.S.- Fullidumar, District- Banka ... Petitioner
Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Dhananjay Kumar Pandey, Adv.
For the Opposite Party : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioner and the State.

The case is registered under Sections 147, 148, 149, 341, 447, 337, 307 and 120B of the Indian Penal Code and 25 (1-B) A, 27 and 27 of the Arms Act in connection with Amarpur (Fullidumar) P.S. Case No. 157 of 2015.

As per the allegation, the informant on 28.05.2015 narrated in the first information report that when Shivnandan Panjiyara was coming home after attending the call of nature, it is alleged that one Dhananjay Panjiyara opened fire which however did not hit his son. Further allegation is that when his daughter-in-law came to their rescue, specific allegation is that Shivnandan Panjiyara made indiscriminate firing causing injury on her head, thigh and hand. The further allegation against the petitioner and others is of firing on the informant and his family members. Learned counsel for the petitioner submits that



specific allegation is against Shivnandan Panjiyara and so far as this petitioner is concerned, he has been alleged to be part of the mob that had opened fire.

Learned Additional Public Prosecutor, on the other hand, submits that the case was lodged on 28.05.2015 and it is only in the year 2022 that the petitioner came into the judicial net. He submits that considering the attitude of the petitioner, the petitioner does not deserve bail.

Taking into account the attitude of the petitioner, this Court at first sight was not inclined to grant privilege of bail, but, in view of the fact that the omnibus allegation has been levelled it would be appropriate that the petitioner be released on bail after framing of the charges by the concerned Court itself with certain conditions.

The petitioner, above named, be released on bail after framing of the charge in connection with the above case on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, subject to the following conditions :

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show



his/her bonafide.

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself.

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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