

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29571 of 2022

Arising Out of PS. Case No.-421 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

SANTOSH KUMAR PANDEY SON OF LATE SHIV KUMAR PANDEY
R/O – MOHALLA - HOUSE NO - 398 WARD NO. 12, COMPANY SARAI,
SASARAM , P.S. - SASARAM (M), DIST.- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, A.P.P.

For the Informant : Mr. Tiwary Shwetketu, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner, the informant
and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
447, 307, 504, 506 and 120(B) of the Indian Penal Code and
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that on account of dispute
relating to land the petitioner fired at the informant but the
informant was saved.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case. It is further submitted that allegation of firing is ornamental as the informant himself alleges that the gun misfired.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner. Learned counsel for the informant submits that petitioner has not approached the Court with clean hands. It is further submitted by the learned counsel for the informant that earlier a Complaint Case No. 700 of 2012 was filed in the Court of learned Chief Judicial Magistrate, Rohtas at Sasaram. It is next submitted that in the said case cognizance was taken and the petitioner had also challenged the said order in revision before the learned Sessions Judge, Rohtas at Sasaram. It is also submitted that Sasaram (Town) P.S. Case No. 714 of 2021 was also instituted against the petitioner by the same informant and the same was also within his knowledge.

Learned counsel for the petitioner disputes the contention raised by the learned counsel for the informant.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Sasaram (M) P.S. Case No. 421 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. Further, the learned trial Court before accepting the bail bond of the petitioner will verify whether the petitioner in the said complaint case had moved in revision or not and in the event if it is found that the petitioner had moved in revision then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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