

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31303 of 2022**

Arising Out of PS. Case No.-228 Year-2019 Thana- BELHAR District- Banka

RAM PANDIT Son of Dasharath Pandit Resident of Village - Hadhadiya,
Police Station- Lakshmipur, District - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 22-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that he received information that a dead body was lying near Chatrahan village, accordingly he reached the place of occurrence and found that the deceased died of gun-shot injury, further a cartridge was recovered from his pocket along with mobile phone, based on which identity of the deceased was revealed as Parmeshwar Pandit, further villager disclosed that in the night 5-6 accused had come to commit theft and on alarm



accused persons fired to cause panic but the deceased got hit, on account of which he died.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that the deceased was a veteran criminal and have seven cases pending against him, it is next submitted that a land dispute was there between the family members of the deceased and the petitioner for which a suit was filed, in which the father of the deceased lost and petitioner side had won.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that though at Para-8 of the anticipatory bail application, it has been pleaded that there was dispute between the parties, in which the side of the petitioner emerged victorious and the side of the deceased lost, but then the pleadings are vague and cryptic as it does not disclose the suit number, nor the Court in which it was pending, nor the number of the case, it is also submitted that father of the petitioner has been granted regular bail by order dated 13.09.2022 in Cr. Misc. No. 56832 of 2021, as such parity should be maintained.

Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of



anticipatory bail to the petitioner.

Accordingly, the anticipatory bail of the petitioner is rejected.

However, if the petitioner files a Regular Bail Application, the same shall be considered on its own merit and the learned trial court shall keep in mind that the father of the petitioner has been granted Regular Bail by this Court and the case of the petitioner is also on similar footing and the learned trial court shall try to dispose of the case expeditiously if possible on the same day.

(Satyavrat Verma, J)

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