

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37693 of 2022

Arising Out of PS. Case No.-415 Year-2021 Thana- BODHGAYA District- Gaya

PUNAM DEVI Wife of Nagmani Pandey Resident of village- Newtapur, P.s.-
Bodhgaya District gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 39826 of 2022

Arising Out of PS. Case No.-415 Year-2021 Thana- BODHGAYA District- Gaya

NAGMANI PANDEY S/O DURGA SHARAN PANDEY Resident of
Village- Nevtapur, P.S.- Bodh Gaya, District- Gaya- 824231

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 37693 of 2022)

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Pranav Kumar

Mr. Ranjeet Tiwary

(In CRIMINAL MISCELLANEOUS No. 39826 of 2022)

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard the parties.

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

The petitioners apprehend their arrest in a case registered
for the offence punishable under section 302, 120B of IPC and
Section 27 of Arms Act.



Allegedly, the petitioners order to kill Runa Devi, mother of the informant and petitioner no.2. Thereupon, the accused Rahul Pandey fired upon Runa Devi. She was taken to the hospital and during the course of treatment she died.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner Punam Devi. Petitioner Nagmani Pandey is the son of the deceased and he is the order giver and on that basis he has been made accused in the present case. The specific allegation of assault is against co-accused Rahul Pandey. Petitioner Punam Devi has one criminal antecedent and petitioner Nagmani Pandey has two criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their 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) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Bodhgaya P.S. Case No.415 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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