

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37847 of 2022

Arising Out of PS. Case No.-841 Year-2021 Thana- KHAJANCHI HAT District- Purnia

Sanjit Kumar Pandit @ Sanjit Pandit S/o- Late Sakhichand Pandit, Resident
of Shivdham, Ward No.-3, P.S.- K. Hat (Madhubani T.O.P.), District- Purnia.
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with S.T.
No. 125 of 2022 arising out of K.Hat (Madhubani T.O.P.) P.S.
Case No. 841 of 2021, lodged under Sections 302/506 of the
Indian Penal Code.

As per prosecution case, the informant has disclosed
that he is basically a rickshaw puller and informant's younger
brother is the accused. Allegation against the accused person is
that, he use to involve in theft and demanding money from his
father. On the alleged date of occurrence the younger brother
attacked by *lathi*, *danda* and *tawa*, by which the father became
injured and subsequently died. It has been also alleged by the
informant that the accused has threatened him as well as his wife

to kill.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that the allegation against the younger brother is to kill the father. Learned counsel submits that the pairvikar of this case is mother of the informant and accused, and she has narrated the circumstance, in which the present F.I.R. has been lodged, she has categorically stated that the informant put greedy eyes on the property in possession of his father and he persuade his parent to transfer the said property, either in his name or in the name of his wife but the mother of informant was not ready for the same and in result, the present event took place. He further submits that petitioner is in custody since 13.09.2021 and charge sheet has already been filed in this case. He also submits that there is one case pending against the petitioner, in which he is on bail.

Learned counsel for the State opposes the prayer for bail and submits that bail application of petitioner may be rejected.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Purnia in connection with S.T. No. 125 of 2022 arising out of K.Hat

(Madhubani T.O.P.) P.S. Case No. 841 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ritik/-

U		T	
---	--	---	--