

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47593 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- ARWAL District- Jehanabad

1. Rambhu Pandit, Son of Andhi Pandit, Resident of Village - Balu Bigha, P.S.- Arwal, Distt.- Arwal.
2. Shambhu Pandit, Son of Andhi Pandit, Resident of Village - Balu Bigha, P.S.- Arwal, Distt.- Arwal.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjay Kumar Singh- Advocate
For the State	:	Ms. Anita Kumari- A.P.P.
For the Informant	:	Mr. Arbind Kumar Singh- Advocate
		Mr. Raju Ranjan Yadav- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-03-2022 Heard learned counsel for the petitioners, learned counsel for the informant and the learned APP for the State.

The petitioners seek bail in connection with Arwal P. S. Case No.02 of 2021, instituted for the offences under Sections 147, 148, 149, 341, 323, 307, 504, 506 and 302 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are in custody since 03.01.2021, they are persons with clean antecedent and charges have been framed.

The learned counsel for the petitioners submits that the informant alleges that his niece was standing near Devi Temple when Pawan Kumar, son of the petitioner started



abusing her in a drunken condition. Accordingly, she came back home and informed her family members. Accordingly, the brother of the informant Vijay Kumar (deceased) went to the place of occurrence to inquire when Ranjeet Kumar, Sanjit Kumar, Pawan Kumar, Gautam Kumar all sons of the petitioner along with petitioners Shambhu Pandit, Dilip Pandit, Rambhu Pandit, Sabhunandan Pandit, Raj Kumar, Ramji Pandit and Amod Pandit, who were present at the place of occurrence from before. It is further alleged that the deceased was assaulted by iron rod on head by Sanjit causing injury and Gautam and Pawan also assaulted by iron rod causing serious injury and when informant along with his nephew came to save his brother, then all the accused persons assaulted them by iron rod and lathi etc. causing injury. Further 10-12 unknown criminal were also involved in the occurrence, who threatened them, his brother died during the course of treatment.

The learned counsel for the petitioners submits that from bare perusal of the allegation as alleged, it would manifest that no specific allegation has been alleged against the petitioners. The petitioners have been implicated in the case merely for the reason that he is father of Pawan Kumar. Specific allegation of assault is against Sanjit, Gautam and Pawan.



At this stage, the learned counsel for the informant submits that out of 07 prosecution witnesses, 05 prosecution witnesses have been examined, only 02 prosecution witnesses i.e. the informant and the I.O. remained to be examined.

Learned A.P.P. also opposes the bail application.

In view of the submissions made by the learned counsel for the informant, the Court, for the present, is not inclined to grant bail to the petitioners as the trial has progressed and is at its fag end.

Accordingly, the prayer for bail of the petitioners stand rejected.

However, the learned Court below is directed to ensure that the trial is completed expeditiously, preferably within a period of three months from the date of receipt/production of a copy of this order.

(Satyavrat Verma, J)

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