

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44534 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- HALSI District- Lakhisarai

1. Suraj Kumar, Son of Rajesh Pandey, R/o village- Choudosh, P.S- Sirari, Dist- Sheikhpura
2. Amlesh Pandey, Son of Late Ram Kumar Pandey, R/v- Parsawan, P.s- Ramgarh Chowk, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioners seek bail in
connection with Halsi (Ramgarh Chowk) P.S. Case No. 118 of
2022 registered for the alleged offences under Sections 302 and
120(B)/34 of the Indian Penal Code and Section 27 of the Arms
Act.

As per prosecution case, the informant gave a written
report leading to registration of the FIR wherein he alleged that
due to land dispute, the petitioners and other co-accused family



members shot dead the brother of the informant.

The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to land dispute. There is no eye-witness to the alleged occurrence and none has seen these petitioners at the place of occurrence either at the time of occurrence or prior to the occurrence or after the occurrence. Only due to land dispute, the informant has named these petitioners and whole family members as accused in this case. There is no specific allegation against the petitioners. Charge-sheet has been submitted in this case and the petitioners are in custody since 26.04.2022.

Learned APP opposes the prayer for bail submitting that the petitioners are having criminal antecedents.

Having regard to the facts and circumstance and submissions made on behalf of the parties and considering the non-specific nature of allegation without any substantive material against the petitioners and also considering the period of custody of the petitioners along with submission of charge-sheet against them, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Lakhisarai in connection with Halsi (Ramgarh Chowk) P.S.
Case No. 118 of 2022, subject to the conditions mentioned in
Section 437(3) of the Code of Criminal Procedure and also the
following conditions :

- (i) One of the bailors will be a close relative of
the petitioners.
- (ii) The petitioners will remain present on each
and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bonds of the petitioners will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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