

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58655 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- BAGENGOLA District- Buxar

SHIVBALI PANDEY Son of Late Bihari Pandey Resident of Village -
Pokharaha, P.S. - Bagengola, District – Buxar. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-04-2022 Heard learned counsel for the parties.

The petitioner is an accused in connection with Begangola P.S. Case No. 79 of 2021 under Sections 147, 148, 149, 341, 323, 504, 307 and 354 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the accused person is of indiscriminate firing with specific allegation against Pawan Pandey of injuring the leg of his father and one Bhagwan Pandey @ Munna Pandey of injuring his hand. So far as this petitioner is concerned, allegation is that he along with Rambali Pandey abused and started firing from rifle although as per the FIR it is not clear whether any injury was made pursuant to the said firing.

Learned Senior counsel for the petitioner submits that no injury is found to any of the person on the informant's side



pursuant to the alleged firing attributed to this petitioner and he further submits that petitioner is in jail custody since 26.07.2021.

Considering the aforesaid facts, let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -I, Buxar in connection with Bagengola P.S. Case No. 79 of 2021, subject to the following conditions :-

(i) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(ii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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