

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63058 of 2021

Arising Out of PS. Case No.-474 Year-2016 Thana- AMARPUR District- Banka

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1. HARIBOLE PANJIYARA S/o Late Mahendra Panjiyara Resident of Village- Nagardih, P.S.- Amarpur (Fullidumar), District- Banka.
 2. Bajrang Panjiyara S/o Rajendra Panjiyara Resident of Village- Nagardih, P.S.- Amarpur (Fullidumar), District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in a case registered for the offences punishable under Sections 147, 148, 149, 307 and 302 of the Indian Penal Code read with Section 27 of the Arms Act and Sections 3 and 4 of the Explosive Substances Act.

Learned counsel for the petitioners submits that the petitioner no.1 is in custody since 17.08.2021, petitioner no.2 is in custody since 26.07.2021, charge-sheet has been submitted in the case, petitioner no. 1 has antecedent of four cases and petitioner no. 2 has antecedent of three cases.

Learned counsel for the petitioners submits that the



informant alleges that petitioners along with named accused persons surrounded his house and Jagdambi Panjiyar shot the cousin of the informant who died at the spot and Julmi Panjiyar shot the informant on hand who sustained two bullet injuries.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case, further the petitioners' side and informant's side are agnates and they are having land dispute. It is further submitted that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that petitioners are not alleged to have fired rather they were present at the place of occurrence. Learned counsel further submits that co-accused Julmi Panjiyar has been granted bail vide order dated 11.10.2018 passed in Cr. Misc. No. 61943 of 2018.

Learned A.P.P. for the State opposes the prayer for bail of the petitioners.

Considering the fact that the petitioners are in custody, charge-sheet has been submitted in the case, co-accused has been granted bail and the petitioners are not alleged to have fired, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten 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 connection with Amarpur (Fullidumar) P.S. Case No. 474 of 2016 with a condition that one of the bailors of the petitioner no.1 shall be his wife Ranju Devi and one of the bailors of the petitioner no.2 shall be his mother.

(Satyavrat Verma, J)

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