

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55214 of 2022

Arising Out of PS. Case No.-222 Year-2022 Thana- SIRDALA District- Nawada

Sakaldeep Pandit @ Arun Kumar Son of Bhim Pandit Resident of Village-
Dharm Bigha, Police Station- Atri and District- Gaya. Address mentioned in
the F.I.R is resident of Village- Tetariya, Police Station- Meskaur (Sirdala),
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 56251 of 2022

Arising Out of PS. Case No.-222 Year-2022 Thana- SIRDALA District- Nawada

Ajay Pandit @ Ajay Kumar Sudama Pandit Resident of Village- Tetariya,
Police Station- Meskaur (Sirdalla), District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 59969 of 2022

Arising Out of PS. Case No.-222 Year-2022 Thana- SIRDALA District- Nawada

Vijay Pandit S/o Late Barho Pandit R/v- Tetariya, P.S.- Sirdalla(Meskaur),
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 55214 of 2022)
For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr. Uday Pratap Singh, APP
(In CRIMINAL MISCELLANEOUS No. 56251 of 2022)
For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP
(In CRIMINAL MISCELLANEOUS No. 59969 of 2022)
For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-12-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.Ps. for the State.

The petitioners seek regular bail in connection with Sirdalla (Meskaur) P.S. Case No. 222 of 2022 lodged under Sections 302, 379, 427 and 34 of the I.P.C.

As per the prosecution case, the allegation against 9 accused persons is that at the night of 13.05.2022, they all reached at the house of the brother of the informant and kidnapped Sunil Kumar from his house. Upon oppose, they all attacked on the family members and assaulted the females of the family. But in the morning, the dead body of the brother of the informant has been recovered.

Learned counsel for the petitioners submit that from the contents of the F.I.R., it transpires that the case has been filed on hearsay material and only on the basis of suspicion, the case has been filed. Counsel submits that the antecedent of all the petitioners are clean. Counsel submits that petitioner no. 1 is in custody since 16.05.2022, petitioner no. 2 is in custody since 20.05.2022 and petitioner no. 3 is in custody since 15.05.2022

and charge sheet has already been filed in all the cases. Counsel submits that some of the co-accused has been granted bail by the Co-ordinate Bench of this Court which is annexed as Annexure-3 of the petition. Upon specific query that whether charge has been framed in this case or not. Counsel submits that as per his information, charge has not been framed.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners at present but liberty is hereby granted that they may renew their prayer for bail after framing of charge and Trial Court is directed to release them on bail imposing its own condition so that the accused petitioners may not evade their appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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