

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70287 of 2021

Arising Out of PS. Case No.-32 Year-2021 Thana- KOILWAR District- Bhojpur

SATYENDRA PANDEY @ SATYENDRA KUMAR PANDEY Son of Late
Rameshwar Adhar Pandey Resident of Village - Panchrukhiya, kala, P.S.-
Koilwar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-04-2022 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in registered for the offences punishable under section 307 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, this petitioner along with other FIR named accused persons were extracting sand from the informant's land and on protest they abused the informant and resorted to firing in order to scare the informant side.

Learned counsel for the petitioner submits that there is general and omnibus allegation of resorting to firing against all the accused persons and no specific overt act has been alleged against the petitioner and none sustained fire arms



injury. FIR has been lodged after delay of 11 days and there is no explanation of delay. No case under section 307 IPC is made out against the petitioner. Petitioner is in custody since 31.8.2021.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation that the petitioner and his associates threatened the informant and petitioner is accused in 15 cases of serious and heinous nature.

Considering the nature of accusation and antecedent of the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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