

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70910 of 2021

Arising Out of PS. Case No.-154 Year-2021 Thana- GAYA MUFASIL District- Gaya

Rohit Kumar Panday Alias Timsi Pandey Son of Krishandeo Panday @
Krishna Panday Resident Of Mohalla- Janakpur, P.S- Muffasil, Dist- Gaya
... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate
For the Opposite Party/s : Mr. Ramchandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Muffasil
P.S. Case No. 154 of 2021 registered under Sections 307, 34 of
the Indian Penal Code read with Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 24.06.2021, charge-sheet has been
submitted in the case and has antecedent of six cases. The
learned counsel submits that the petitioner came to be
implicated in the first three cases as mentioned at Para '3' after
institution of the present case. It is further submitted that the
informant alleges that while he was going to meet his friend
when on the way the named accused persons including the
petitioner started firing, hitting him on his knee and he fell down
and the accused fled.



The learned counsel submits that the petitioner has been falsely implicated in the present case, it absolutely does not stand to reason that if the petitioner was known to the informant then he would have committed the occurrence of firing and thus create an evidence against himself, it is further submitted that allegation is of firing by three known accused persons and the nature of injury caused is on non-vital part of the body i.e. on the knee.

The learned counsel further submits that the date of occurrence is 29.03.2021 and the F.I.R. came to be instituted on 01.04.2021.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that though the allegation of committing the overt act may not be specific but then it is a case where three accused persons fired at the deceased, hitting him on the knee and the petitioner also has antecedent.

Considering the fact that the petitioner is in custody since 24.06.2021, charge-sheet has been submitted in the case and in the nature of allegation and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand)



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 Muffasil P.S. Case No. 154 of 2021, with a condition that one of the bailors shall be the father of the petitioner namely Krishandeo Panday @ Krishna Panday.

Further, if the learned court below comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned court below shall forthwith cancel his bail bond after recording reason.

(Satyavrat Verma, J)

ved/-

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