

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6053 of 2023**

Arising Out of PS. Case No.-76 Year-2022 Thana- PANJWARA District- Banka

1. RAJU PANJIYARA Son of Late Karu Panjiyara R/V- Kachamachiya, P.s- Panjawara, Dist- Banka
2. Naresh Panjiyara Son of Late Karu Panjiyara R/V- Kachamachiya, P.s- Panjawara, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Ajay Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      17-05-2023                      Heard learned Counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Panjawara Police Station Case No. 76 of 2022, dated 04.07.2022, disclosing offences under Sections 341/323/504/307/34 of the Indian Penal Code and Section 27 of the Arms Act. Later on, Section 302 of the Indian Penal Code was also added.

The prosecution case, as per the First Information Report, is that the informant's father, while returning from a marriage ceremony, was surrounded near his house by the petitioners and other accused persons and co-accused Chhotu



Mandal fired upon him, due to which he sustained bullet injury in his chest and subsequently died.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute between the parties. He next submits that from perusal of the First Information Report, it is evident that the petitioners are not the assailant, and at best, they are member of the unlawful assembly. He next submits that similarly situated co-accused person, namely, Prakash Panjiyara, has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 13.04.2023, passed in Criminal Misc. No. 6278 of 2023.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioners are not the assailant and similarly situated co-accused person has been granted anticipatory bail by this Court, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail



bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional Chief Judicial Magistrate, Banka, in connection with Panjawara Police Station Case No. 76 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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