

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15858 of 2023

Arising Out of PS. Case No.-100 Year-2020 Thana- BAGENGOLA District- Buxar

VIKRAMA PANDE @ BIKRAMADITYA PANDE Son of Shiv Prasad Pande
R/V- Pokhaha P.S- Bagen Gola, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 30-05-2023 A supplementary affidavit has been filed across the

Board.

Let it be taken on record.

The petitioner seeks bail in connection with Begen Gola P. S. Case No. 100 of 2020, registered for the offences punishable under Sections 302, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

The prosecution case as emerges from the FIR is that when the informant and his father were cutting grass in a field, the petitioner and his associates came there and opened fire upon them, due to which the father of the informant died.



Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on account of previous enmity with the informant. He further submits that in the whole prosecution case, no role has been attributed to the accused-petitioner and he has been in custody since 29.07.2022, i.e., for about one year.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in five more cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M. 1st, Buxar, in connection with Begen Gola P. S. Case No.



100 of 2020 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is



wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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