

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13279 of 2022**

Arising Out of PS. Case No.-51 Year-2020 Thana- AANDAR District- Siwan

ADITYA KUMAR PANDEY @ RISHU PANDEY Son of Munna Pandey @  
Vidhyashankar Pandey Resident of Village - Dharm Khore, P.S.- Ashaw,  
District - Siwan, Bihar ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Indrajeet Bhushan  
For the Opposite Party/s : Mr.Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      02-01-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in connection with  
Aandar P.S. Case No. 51 of 2020 registered for the offence  
punishable under sections 302/34 of the Indian Penal Code and  
section 27 of the Arms Act.

As per allegation in the FIR, informant's husband was  
killed by co-accused Monu Dubey, Chandrabhan Yadav, Mantu  
Yadav, Vinod Yadav, Rishu Pandey (Petitioner) and Ankit  
Pathak at his home. The allegation of assault is alleged by  
firearm. Two cousins have also witnessed the occurrence.

It is submitted by learned counsel for the petitioner  
that petitioner has been falsely implicated in the present case  
due to previous enmity. No specific allegation has been levelled  
against the petitioner. Out of six FIR named accused persons,



five have been granted regular bail by different co-ordinate Benches vide order dated 1.12.2021, 23.11.2021 passed in Cr. Misc. No. 34492/2021 and Cr. Misc. Nos. 21350 of 2021 respectively. Petitioner is in custody since 16.10.2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned VII Additional District and Sessions Judge, Siwan in connection with Aandar P.S. Case No. 51 of 2020.

Petitioner is directed to co-operate in trial. However, in case of non-cooperation on part of the petitioner, the Trial Court may cancel his bail bond and take him into custody till conclusion of the trial.

**(Sunil Kumar Panwar, J)**

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