

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14302 of 2023

Arising Out of PS. Case No.-247 Year-2021 Thana- MANJHI District- Saran

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Basant Pandey S/O Late Kameshwar Pandey R/V- Cheful, P.S.- Manjhi,
District- Saran At Chhapra

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 34 of the Indian Penal Code.

As per prosecution case, the allegation against accused persons including the petitioner is that due to land dispute they armed with *lathi*, *danda* and iron rod, came at the house of the informant and started assaulting informant and his family members. It is further alleged that father of the informant sustained severe injuries and during treatment he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous land dispute. There is no specific allegation of assaulting levelled against the



petitioner rather general and omnibus allegation levelled against him. He has got no criminal antecedent. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 12.10.2022, passed in Cr. Misc. No. 65947 of 2021. It is further submitted that the petitioner is languishing in judicial custody since 11.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Manjhi P.S. Case No. 247 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Saran at Chapra.

(Sunil Kumar Panwar, J)

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