

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13862 of 2023

Arising Out of PS. Case No.-277 Year-2022 Thana- GURUA District- Gaya

1. TINKU PANDEY @ SANJAY KUMAR MISHRA Son of Late Manohar Pandey @ Manohar Mishra R/V- Gurua P.S- Gurua, Dist- Gaya
2. Deepak Pandey @ Satish Mishra Son of late Manohar Pandey @ Manohar Mishra R/V- Gurua P.S- Gurua, Dist- Gaya
3. Uday Pandey @ Uday Mishra son of Late Manohar Pandey @ Manohar Mishra R/V- Gurua P.S- Gurua, Dist- Gaya
4. Rahul Pandey @ Rahul Raj son of Ravi Pandey @ Ravi Mishra R/V- Gola Bazar, sherghati, P.S- Sherghati, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr.Md. Iftexhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 323, 325, 307, 354(B) of the IPC.

As per the prosecution case, all the F.I.R. named accused persons including the petitioners came to the house of informant and started breaking and assaulting and after snatching the gold ornaments, fled away. Thereafter, when informant was returning after submitting his written complaint, all accused persons



surrounded them and brutally assaulted the informant side by means of various weapons.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to land dispute. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The injuries were found to be simple in nature. The specific allegation is against Mantu Pandey who is alleged to have assaulted the informant by means of rifle on his head and the injury was found grievous in nature. It is further submitted that there is a civil dispute between the parties for which a Title Suit bearing No.226/2017 is pending. Petitioner nos.1, 2 and 4 have two criminal antecedent and petitioner no.3 has one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries inflicted by these petitioners are simple in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each



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 Gurua P.S. Case No.277 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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