

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28041 of 2023

Arising Out of PS. Case No.-401 Year-2022 Thana- MUFFASIL District- West Champaran

Navneet Pandey @ Anupam Pandey S/O Shashi Pandey Resident of Village-
Jagapakar, P.S.- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 25-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Bettiah
Muffasil (Banuchhapar) P.S. Case No. 401 of 2022 dated
23.05.2022 registered for the offences punishable under
Sections 342, 353, 307 and 506 of Indian Penal Code and
Sections 25(1-b)a/26 of Arms Act.
3. The main submissions advanced by learned counsel for
petitioner are that the petitioner is not named in the FIR and the
entire occurrence as alleged in the FIR is stated to have been
committed by the co-accused Satish Kumar @ Vikash who
committed the same on account of his one sided love with the
daughter of one namely, Arun Kumar and the name of this
petitioner surfaced during investigation in the so-called

confessional statement of the said apprehended co-accused Satish Kumar who simply disclosed that the fire-arm which was allegedly found in his possession at the spot was purchased by him from this petitioner and the said statement is not admissible in the eye of law and moreover, except the said statement there is no any other material against this petitioner to connect him to the alleged crime and further petitioner's role in the alleged crime mentioned in the FIR has not been found by the police. Further submissions are that the petitioner has been languishing in jail since 26.07.2022 and against him the investigation has been completed in the present matter, though against the petitioner there are criminal antecedents of four cases but he has got bail in two cases of the said antecedent cases.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the completion of investigation against this petitioner and also the fact that in the FIR the main allegation is against co-accused Satish Kumar @ Vikash and in respect of the offences allegedly committed by this petitioner the police mainly relied upon statement of co-accused Satish Kumar given before the police, in my opinion, it is a fit case for bail to the petitioner.

Accordingly, let the petitioner named above be enlarged on bail, **after framing of charge, if the same has not been framed**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with **Bettiah Muffasil (Banuchhapar) P.S. Case No. 401 of 2022.**

(Shailendra Singh, J)

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