

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26045 of 2023

Arising Out of PS. Case No.-16 Year-2023 Thana- KOILWAR District- Bhojpur

1. SURAJ PANDEY @ SURAJ KUMAR PANDEY Son of Mahesh Pandey R/o Mohammadpur, PS- Koilwar Dist- Bhojpur
2. Binod Pandey Son of Late Sheo Shankar Pandey R/o Mohammadpur, PS- Koilwar Dist- Bhojpur
3. Vikki Pandey Son of Binod Pandey R/o Mohammadpur, PS- Koilwar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Md. Ataul Haque, Adv.
For the Opposite Party/s :	Mr.Anil Kumar Singh No. 1, APP.
	Mr. Ashwani Kumar Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 307 of the Indian Penal Code and 27 of Arms Act.

Allegedly, all the FIR named accused persons including these petitioners came to the informant regarding the disputed land. After some altercation, co-accused Mahesh Pandey, with intention to kill the informant, fired upon him with country made pistol, as a result of which the informant sustained fire arm injury.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is specific allegation of firing against one co-accused Mahesh Pandey. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that petitioners are also involved in the present case.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 lower Court where the case is pending/successor Court in connection with Koilwar P.S. Case No. 16 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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