

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27408 of 2023

Arising Out of PS. Case No.-1098 Year-2022 Thana- KHAJANCHI HAT District- Purnia

1. BIDHAN PANDIT, Son of Late Mahadeo Pandit, R/V- Oli Tola, Mirza Hata, P.S.- Madhubani, T.O.P (K.Hat) Dist- Purnea, Bihar
2. Khushboo Devi, Wife of Vikash Pandit @ Bikash Pandit, R/V- Oli Tola, Mirza Hata, P.S.- Madhubani, T.O.P (K.Hat) Dist- Purnea, Bihar
3. Aman Kumar @ Babloo, Son of Gopal Pandit, R/V- Farda, P.S.- Naya Ram Nagar, Dist-Munger, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Kumar Rajdeep, Adv. Ms. Diksha Kumari, Adv.
For the Informant/s	:	Mr. Sachina, Adv.
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 04-08-2023 1. Heard learned senior counsel for the petitioners, learned counsel for the informant and learned APP for the State.
2. Petitioners seek regular bail in connection with K. Hat (Madhubani) P.S. Case No. 1098 of 2022 dated 18.10.2022 registered for the offence(s) punishable under Section(s) 302, 201, 120B read with Section 34 of the Indian Penal Code.
3. The main submissions advanced by petitioners' counsel are that all the petitioners have fair and clean antecedent and have been languishing in jail since 19.10.2022 and three co-



accused persons namely, Nirmala Devi, Mithun Pandit and Vandana Devi @ Bandana Devi @ Bandana Kumari, carrying similar nature of allegations, have been granted anticipatory bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 39541 of 2023. Further submissions are that the informant is not the eye-witness of commission of the alleged murder and she simply raised suspicion against the petitioners and co-accused persons mainly on account of threatening being given by the co-accused Vikash Pandit some days before the alleged occurrence and during investigation a car was found having some blood stains but the petitioners or co-accused Vikash Pandit or any other family members of them do not own any four-wheeler.

4. Learned APP appearing for the State as well as learned counsel for the informant has opposed the prayer for bail.

5. Having regard to the facts and circumstances of this case and considering the above submissions and mainly the custody period of the petitioners and also the facts that in the FIR the informant merely raised suspicion against the petitioners and she is not the eye-witness of the alleged occurrence and three named co-accused persons, against whom



suspicion was raised in the FIR, have been granted anticipatory bail by a co-ordinate Bench of this Court, in my opinion, in the said circumstances the petitioners deserve to the privilege of bail. Accordingly, let the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with K. Hat (Madhubani) P.S. Case No. 1098 of 2022.

(Shailendra Singh, J.)

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