

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36079 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- SAKSOHRA District- Patna

VIKRAM PANDEY @ BIHARI S/o- PRAMOD PANDEY Village-
Madanchak Ps- Bind Dist- Nalanda

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-06-2023 Heard Mr. Manoj Kumar Pandey, learned counsel
for the petitioner and Mr. Choubey Jawahar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Saksohra PS Case No. 26/2023 dated 08.03.2023 registered for
the offence punishable under Sections 147, 148, 149, 323, 307,
504 of the IPC and Section 27 of the Arms Act.

3. As per First Information Report, while the
informant was celebrating Holi festival, the petitioner along 16
named accused persons and 10-12 unknown persons arrived at
the place of occurrence resorted to firing and assaulted the
informant and others by means of *Lathi, Danda* etc.

4. Learned counsel for the petitioner submits that
from perusal of the FIR, it would be evident that the informant
has given the description of weapon carried by the accused



persons but the petitioner whose is named there in the FIR at serial no. 14 was not having any fire-arm in his hand. He further submits that the allegation against the petitioner and others is general and omnibus in nature and no one has received fire arm injury due to alleged firing. The petitioner has been implicated in this case due to political rivalry and the injury caused to the informant is simple in nature. The petitioner is in custody since 12.03.2023.

5. Regards being had the submissions made by the parties, taking into consideration the fact that allegation against the petitioner is general and omnibus in nature and he was not carrying arms as per the FIR and he is in custody since 12.03.2023, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Avinash Kumar, learned Judicial Magistrate, Barh, District, Patna in connection with Saksohra PS Case No. 26/2023.

(Anil Kumar Sinha, J)

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