

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40117 of 2023

Arising Out of PS. Case No.-152 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

RITIK KUMAR PANDEY @ RITIK KUMAR @ RITIK PANDEY Son of
Vijay Pandey Resident of village - Mangaru Chapra, P.S. - Baikunthpur, Distt.
- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 427, 504, 307, 379/34 of the Indian Penal Code.

3. Allegedly, all the accused persons, including this petitioner, are said to have assaulted the informant's wife by means of lathi and danda. On hearing alarm, the informant came there and tried to save her. In the meantime, petitioner caught the informant and co-accused Vijay Pandey assaulted him by means of *Farsa* due to which he sustained injuries. They also snatched the *Mangalsutra* of the informant's wife.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Both the parties are agnates. No such occurrence as alleged ever took place. He has been falsely implicated in this case due



to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is specific allegation against one Vijay Pandey who assaulted the informant by means of Farsa. There is admitted land dispute between the parties. There is case and counter case between the parties. The injury sustained by the victim is simple in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his 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) 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 Baikunthpur P.S. Case No. 152 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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