

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47927 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Munna Pandey Son Of Late Kanhaiya Pandey Resident Of Village- Rampur
Madho, Ps- Kuchaikote, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 326, 307, 448, 504, 506 read with Section 34 of the Indian Penal Code and chargesheet was submitted U/s 341, 323, 304, 504, 506 of the IPC.

As per allegation in the FIR, on the alleged date of occurrence the informant's wife Kamlawati Devi was sitting at his door at that time the petitioner along with others entered in the house of informant and threatened to kill him. During this his wife who was taking fire heat started making hue and cry then all the accused persons assaulted his wife and pushed her due to which she fell the fire and burnt. She was taken to the



hospital and during course of treatment she died.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and committed no offence. Both parties are agnets and due to previous land dispute the petitioner has false been implicated in this case. The occurrence took place at the spur of moment and there is no intention to kill the deceased and also there is no specific allegation against the petitioner. During investigation, this fact came into light that the informant's wife sat nearby the fire and saree of the deceased caught fire due to which she died. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 20.01.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Kuchaikote P.S. Case No. 28 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Additional Chief Judicial Magistrate,
Gopalganj.

(Sunil Kumar Panwar, J)

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