

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44707 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- BUXAR District- Buxar

Amit Pandey Son Of Birbal Pandey Resident Of Mohalla - Neharu Nagar,
Ward No.- 20, P.S.- Buxar (T), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nirbhay Prashant, Advocate
For the Informant	:	Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Buxar (Town) P.S. Case No. 135 of 2023 dated 08.03.2023 registered for the offences u/ss 341, 323, 307, 302 and 120B read with section 34 of the Indian Penal Code sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have fired on the informant's



brother, Raja Rajak due to which he sustained injury and during the course of treatment, the brother of the informant succumbed to the injury.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. There is no specific allegation against the petitioner. The specific allegation of firing on the deceased is against the co-accused Raja Paswan and Ajay Paswan. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 26.06.2023 passed in Cr. Misc. No. 34195 of 2023. The petitioner has three other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 10.03.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Buxar (Town) P.S. Case



No. 135 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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