

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41751 of 2023**

Arising Out of PS. Case No.-239 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

MUNNA PANDIT @ INDRADEO PNDIT S/O LATE LALA PANDIT @
YADUVANSH PANDIT R/O Village- Panditpur, P.S- Buxar(M), Distt.-
Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 44460 of 2023

Arising Out of PS. Case No.-239 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

CHHOTU PANDIT @ RITESH PANDIT @ NITESH PANDIT @ NITESH
KUMAR PANDEY Son of Late Raj Kumar Pandey @ Raj Kumar Pandit @
Dudun Pandit Resident of village - Panditpur, P.O. - Nadaon, P.S. - Buxar
Muffasil, Distt. - Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41751 of 2023)

For the Petitioner/s : Mr. Madhav Kumar, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 44460 of 2023)

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

4 16-08-2023

Heard learned counsel for the parties.

2. The petitioners have renewed their prayer for bail
in connection with Buxar (M) P.S. Case no. 239 of 2020
registered under sections 307, 341, 323, 504 and 34 of the
Indian Penal Code to which section 302 of the Indian Penal



Code was added subsequently.

3. As per the prosecution case, as a result of land dispute it is stated that the FIR named accused persons including the two petitioners herein assaulted the elder brother of the informant who died in course of treatment.

4. Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the case. The earlier prayer for bail of the petitioners were rejected vide common order dated 23.12.2023 (Annexure-1). The petitioners are in custody since 7.12.2021 and 22.2.2022 respectively. It is lastly submitted that co-accused Raj Narayan Pandit and Vikash Pandit have been enlarged on anticipatory bail vide order dated 1.9.2022.

5. A report was called for from the learned trial Court from which it transpires that the case has been committed to the Court of sessions on 19.7.2023.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, grant of bail to the above named two co-accused together with the petitioners having remained in custody since 7.12.2021 and 22.2.2022 respectively, the Court directs the above named two petitioners to be enlarged on bail in connection with Buxar (M) P.S. Case



no. 239 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar subject to the following conditions :

(1) The petitioner shall cooperate in the trial and shall remain properly represented on each date of the trial.

(2) In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned Trial Court may cancel the bail bond of the petitioners and take them into custody till conclusion of the trial.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

