

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45820 of 2023**

Arising Out of PS. Case No.-126 Year-2021 Thana- SANJHOLI District- Rohtas

BITTU PANDEY Son of Ramjee Pandey Resident of Village - Pokhraham,
P.S.- Bagen, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhanendra Chaubey

For the Opposite Party/s : Mr.Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Sanjhauli P.S. Case No. 126 of 2021 dated 02.12.2021 registered for the offences punishable u/s 302 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, the informant who is the village *Chaukidar* received information that a person has been murdered at Nokha Buxar Canal road, whereafter he had gone at the said place of occurrence and found that one person aged about 27 years is lying dead, who has sustained firearm injury on his temple region and nearby people disclosed that unknown miscreants killed him.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The



petitioner is not named in the F.I.R. The name of the petitioner has transpired in this case during the course of investigation. The petitioner has no concern with the alleged offence. The co-accused persons have already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 21.04.2023 passed in Cr. Misc. No. 10310 of 2023. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 the learned court concerned, Bikramganj (Rohtas) in connection with Sanjhauli P.S. Case No. 126 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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