

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44787 of 2022

Arising Out of PS. Case No.-341 Year-2016 Thana- AMARPUR District- Banka

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VIJAY PANJIYARA Son of Late Rajendra Panjiyara Resident of Village -
Nagardih, P.s.- Fullidumar, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sourendra Pandey, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 14-02-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Amarpur
P.S. Case No. 341 of 2016 registered for the offence under
Sections 147, 148, 149, 341 and 302 of the Indian Penal Code
and Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.06.2022.

The allegation against the petitioner is to commit
murder of father of the informant along with other co-accused
persons by causing firearms injuries, due to previous enmities
arises out of land dispute.



Learned counsel appearing on behalf of the petitioner submitted that admittedly as per FIR, informant is not the eye-witness of the occurrence and merely on the basis of suspicion, as petitioner along with 13 other co-accused found running away from the place of occurrence, implicated in the present case falsely, without having any basis. It is also submitted that no incriminating material recovered/surfaced, during course of investigation, which may connect this petitioner with the present occurrence, arises out of said suspicion. It is also submitted that co-accused, namely, Dilip Panjiara having similar allegation has already been granted bail by a learned co-ordinate Bench of this Court through Cr. Misc. No. 13916 of 2018 dated 05.04.2018. It is pointed out by learned counsel that the petitioner involved in 04 criminal cases, instituted out of same enmities, lodged by informant and his family members, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as informant is not the eye-witness of the present



occurrence, where, implication is based upon mere suspicion coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Amarpur P.S. Case No. 341 of 2016 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Banka / court below / concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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