

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58332 of 2022**

Arising Out of PS. Case No.-118 Year-2022 Thana- HALSI District- Lakhisarai

1. RANI DEVI Wife of Late Raj Kumar Pandey Resident of Village - Parsawan, P.S.- Ramgarh Chowck, District - Lakhisarai.
2. Vivekanand Pandey Son of Amlesh Pandey Resident of Village - Parsawan, P.S.- Ramgarh Chowck, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                       |
|----------------------------|-----------------------|
| For the Petitioner/s :     | Mr. Rajnish Chandra   |
| For the Opposite Party/s : | Mr. Shyam Kumar Singh |
|                            | Mr. Ajay Kumar Sharma |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      21-03-2023      Heard learned counsel for the petitioners, learned counsel for the informant as well as learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 120B, 34 of the Indian Penal Code and 27 of Arms Act.

The allegation against the petitioners is that they are involved in the murder of the brother of informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. There is no eye witness in the present case. The petitioners have been made accused in the present case only on the basis of mere suspicion. He further submits that there is an admitted land dispute between the parties and both the petitioner and informant are agnates. He further submits that the petitioner no.1 is an old lady aged about 70 years. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well considering the age of petitioner no.1, let the above named petitioner no.1, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Halsi (Ramgarh Chowk) P.S. Case No.118 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, considering the nature of offence as well as keeping in view that the investigation is still going on, I am not



inclined to grant bail to the petitioner no.2. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is partly allowed.

**(Anjani Kumar Sharan, J)**

shikha/-

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