

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60873 of 2023

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

ABHISHEK PANDIT @ ABHILESH PANDIT @ AKHILESH PANDIT S/O
MUNNA PANDIT @ INDERDEV PANDIT R/O VILLAGE- PANDITPUR,
PS. BUXAR (M), DIST. BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-09-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his 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. The earlier prayer for bail of the petitioner was rejected vide order dated 23.12.2022 (Annexure-1) passed in Cr. Misc. no.17442 of 2022.

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



5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He is in custody since 8.2.2022, has no criminal antecedent and co-accused Munna Pandit and Chhotu Pandit have been enlarged on bail vide order dated 16.8.2023 (Annexure-3).

6. The prayer for bail is opposed by learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., grant of bail to co-accused Munna Pandit and Chhotu Pandit vide the aforesaid order dated 16.8.2023, the petitioner having remained in custody since 8.2.2022 and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Buxar (M) P.S. Case no.239 of 2020 on 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.

(Partha Sarthy, J)

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