

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62960 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- KHIJARSARAI District- Gaya

Satyendra Pandey Son Of Shyam Bihari Pandey Village- Kurwa, P.S.-
Mahkar, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Sinha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-10-2023 Heard Mr. Anand Kishore Sinha, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Khizersarai P.S. Case No. 106 of 2023 registered for the
offences punishable under Sections 147, 341, 323, 307, 427,
337, 379 of the Indian Penal Code and Section 37 of the Bihar
Prohibition and Excise Amendment Act, 2022.

3. While the informant alongwith his family members
coming from Tilak ceremony from their vehicle, in the
meantime, all the F.I.R. named accused persons and 7-8
unknown persons surrounded their vehicle and started pelting
stones and damaging the vehicles. It is further alleged that the
accused persons also assaulted them and snatched the valuables.



4. Learned counsel appearing on behalf of the petitioner submits that in the FIR it is evident that no specific allegation has been levelled against any of the FIR named accused persons. That apart, the persons of both the sides are known to each other and thus on account of an old enmity the name of the petitioner has been implicated in this case. Moreover, the petitioner is a man of fair antecedent and is a priest in the temple, who was only a bystander when the occurrence took place.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the omnibus nature of allegation, coupled with the fair antecedent and the fact that there is no injury report, let the petitioner, above named, be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Exclusive Special Judge, Excise 2nd Gaya in connection with Khizersarai P.S. Case No. 106 of 2023, subject to the conditions



laid down in Section 438(2) Cr.P.C. with the further condition
that one of the bailors shall be the own/close family members of
the petitioner.

(Harish Kumar, J)

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