

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62999 of 2022

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

1. Praveen Kumar Pandey @ Chhotak Pandey Son Of Baidhnath Pandey R/O Village- Pokhrahah, P.S.- Bagen Gola, District- Buxar
2. Shivjee Pandey Son Of Srinath Pandey R/O Village- Pokhrahah, P.S.- Bagen Gola, District- Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-01-2023 Heard the learned counsel for the
petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Sanjhauli P.S. Case No.126 of 2021 registered for the offences punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution in brief is that the informant of this case, who is the village Chaukidar, namely, Lalan Singh, received information on 02.12.2021 at 10.30 am 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.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are languishing in custody since 18.05.2022. Learned counsel for the petitioners has further submitted that though the petitioners are accused in three other cases but they are on bail in the said three cases. It is also submitted that there is no eye witness to the alleged occurrence and, moreover, no independent witness has alleged that the petitioners are the perpetrators of crime.

Per contra, the learned APP for the State has submitted that one Vishunu Rai has disclosed in his confessional statement that he along with Katiya Pandey @ Mritunjay Pandey, Manish Kumar and Anish Kumar Singh had killed the deceased after hatching a conspiracy.



However, on query as to whether the petitioners are having any complicity in the matter, it has been submitted by referring to the case diary that no independent witnesses have alleged any untoward incident to have been committed by the petitioners.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials on record as also those available in the case diary, this Court finds that minuscule evidence is available on record so as to connect the petitioners with the alleged crime, hence, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Vikramganj (Rohtas) in connection with



Sanjhauli P.S. Case No.126 of 2021.

(Mohit Kumar Shah, J)

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