

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69872 of 2022

Arising Out of PS. Case No.-439 Year-2022 Thana- BUXAR District- Buxar

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GOLU PANDEY S/o Arun Pandey R/o Village- Gheuriya, P.S.- Itarhi, Distt-
Buxar, R/p R/o Shanti Nagar, P.S.- Buxar (T), Distt- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 504, 506 and 307/34 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

Allegation against the petitioner is that he along with two other co-accused person came to informant and asked him to forget the amount of Rs. 64 lakh which he gave to one Lalji Kumar for the purpose of buying his house. When informant retaliate, then they fired from gun, and then informant out of fear run to his house.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is no incriminating articles



has been recovered from the house of the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that there is specific overt act against the co-accused Shashi Pandey and Saurabh Kumar. He submits that in the entire case diary there is no any evidence against the petitioner. He further submits that petitioner has got one criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submits that the petitioner is also an associate of the Shashi Pandey and Saurabh Kumar . Hence, he does not deserve anticipatory bail.

Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Buxar (Town) P.S. Case No. 439 of 2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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