

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9772 of 2024

Arising Out of PS. Case No.-433 Year-2022 Thana- MANJHI District- Saran

Sudhiranjan Pandey @ Maniram Pandey @ Manuranjan Pandey @ Manuram Pandey@ Sudhiram Pandey S/O Late Dharmnath Pandey, R/O Vill and po- Mahamadpur, P.S- Manjhi, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-02-2024 Heard Mr. Shashi Shekhar Tiwary, the learned counsel for the petitioner and Mr. Umesh Lal Verma, the learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Manjhi PS Case No. 433 of 2022, FIR dated 19.12.2022, registered for the offences punishable under Sections 323, 324, 341, 379, 307 and 302 read with Section 34 of the Indian Penal Code.

3. According to prosecution case, the accused persons assaulted the informant due to which he sustained injuries. It is further alleged that the accused persons also assaulted the family members of the informant, who came to his rescue and one Pappu Yadav gave *farsa* blow to Amika Yadav and Ravi



Kumar. It is further alleged that a chain was snatched from the informant's mother, who later succumbed to her injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the alleged occurrence has taken place due to admitted land dispute. He further submits that upon perusal of the FIR, it appears that there is no specific allegation of any assault or overt act attributed against the petitioner, rather the specific allegation of assault is attributed against co-accused namely, Pappu Yadav, who has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 05.12.2023 passed in Cr. Misc. No. 45053 of 2023 and other co-accused person namely, Pradeep Yadav @ Pradeep Kumar Yadav and others have also been granted bail by a co-ordinate Bench of this Court vide order dated 05.12.2023 passed in Cr. Misc. No. 47024 of 2023 and Janardan Yadav and others have also been granted bail by a co-ordinate Bench of this Court vide order dated 05.12.2023 passed in Cr. Misc. No. 49059 of 2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances



and the fact that the petitioner has clean antecedent and other similarly situated co-accused persons have been granted anticipatory bail, let the petitioner, above-named, in the event of his arrest or surrender before the Court below, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saran at Chapra, where the case is pending in connection with **Manjhi PS Case No. 433 of 2022**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the Court below



shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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