

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11436 of 2024

Arising Out of PS. Case No.-426 Year-2023 Thana- BRAHMPUR District- Buxar

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Archis Pandey @ Archis Kumar Pandey S/o Manoj Pandey R/o Vill -
Brahampur, P.S. - Brahmpur, Dist. - Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr.Arun Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Brahampur P.S. Case No. 426 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, petitioner and others armed with weapon are said to have prevented the way of informant and started abusing the informant. When the same was protested, the co-accused Guddu Pandey and Sunil Pandey fired but informant saved himself. It is alleged that co-accused



Amit Pandey assaulted upon the informant's head by means of farsa as a result of which he sustained head injury. It is further alleged that co-accused Amit Pandey and Gautam Pandey assaulted upon the informant's face and petitioner snatched Rs. 2,000/- in cash from the pocket of informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that co-accused Amit Pandey and others have already been granted anticipatory bail by the Co-ordinate Bench of this Court vide Cr. Misc. No. 59900 of 2023 and on the principle of parity, petitioner also deserves bail. He further submits that there is no specific allegation attributed against the petitioner rather the allegation of snatching is nothing but ornamental in nature. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the



learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Brahampur P.S. Case No. 426 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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