

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13179 of 2024

Arising Out of PS. Case No.-458 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

1. Surendra Pandey S/o Late Kailesh Pandey R/o Village- Leura, P.S.- Agrer, District- Rohtas
2. Aman Pandey S/o Surendra Pandey R/o Village- Leura, P.S.- Agrer, District- Rohtas
3. Chaman Pandey S/o Surendra Pandey R/o Village- Leura, P.S.- Agrer, District- Rohtas
4. Dulu Pandey @ Dulla Pandey S/o Late Budhan Pandey Resident of Village- Kaghai, P.S.- Bikramganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Mithilesh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-03-2024 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioners seek bail in anticipation of his arrest in a case registered for the offences punishable under Sections 307, 324, 323, 341/34 of the Indian Penal Code and Section 27 of Arms Act.

3. The learned senior counsel for the petitioners submits that the petitioners have clean antecedent and on account of dispute relating to breaking of statue of Brahmsthan, the present occurrence is alleged to have taken place. It is next



submitted that informant alleges that since there was an objection from the side of the informant not to destroy the statue of the Brahmsthan on which Surendra Pandey gave orders to kill, thereafter, Mahendra Pandey and two sons of Surendra Pandey assaulted the informant by hammer causing injury on head. The learned senior counsel submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that Mahendra along two sons of the petitioner No.1, assaulted the informant by hammer causing injury on head but then only one injury is found on the head and the said injury is also simple in nature which amply demonstrate that the petitioner never had any intention of causing serious occurrence. It is also submitted that the blow was not repeated and the petitioner side was also assaulted by the side of the informant. It is next submitted that petitioners are not the criminal and petitioner No.1 has been falsely alleged with ornamental allegation of giving orders.

5. Learned A.P.P. opposes the bail application.

6. Consideration the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below withing a period of six weeks, are directed to be released on bail



on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas at Sasaram, in connection with Sasaram (M) P.S. Case No. 458 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The applications stands allowed.

(Satyavrat Verma, J)

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