

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21486 of 2024

Arising Out of PS. Case No.-91 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

1. Ram Sidh Pandey S/o- Late Jagdeep Pandey R/O Village- Chhotaka More Patkhauri Ps- Dawath Dist- Rohtas
2. Bikas Pandey @ Bikas Kumar Pandey son of Late Ram Kripal Pandey R/O Village- Chhotaka More Patkhauri Ps- Dawath Dist- Rohtas
3. Adarsh Pandey @ Adarsh Kumar Pandey @ Pallu Pandey son of Girijesh Pandey R/O Village- Chhotaka More Patkhauri Ps- Dawath Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506, 324, 379 and 447/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on order of petitioner no. 1, petitioner no. 3 assaulted the informant by butt of pistol causing injury on his head and petitioner no. 3 assaulted the brother of the informant by Rami causing injury on his head and also snatched Rs.25,000/- from the informant.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the



informant. It is further submitted that police after investigation came to a considered conclusion that no offence under Section 307 of the Indian Penal Code is made out as the injuries were found simple in nature and thereafter submitted charge-sheet but the learned trial court in a mechanical manner differing with the police report took cognizance of offence under Section 307 of the Indian Penal Code also. It is next submitted that rest of the sections of the Indian Penal Code carry punishment of three years and less.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering 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 within a period of six weeks from today, be released on anticipatory 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 the learned court below where the case is pending/successor court in connection with Sasaram (Mufassil) P.S. Case No. 91 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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