

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23303 of 2024

Arising Out of PS. Case No.-653 Year-2023 Thana- WAJIRGANJ District- Gaya

1. Arvind Pandey S/o Hari Kishun Pandey R/O Village Amethi P.S Wazirganj Dist Gaya
2. Srikant Pandey S/o Ram Sharan Pandey R/O Village Amethi PS Wazirganj Dist Gaya
3. Rakesh Pandey @ Sonu Pandey S/o Dinesh Pandey R/O Village Amethi P.S Wazirganj Dist Gaya
4. Satyanarain Pandey S/o Jainandan Pandey R/O Village Amethi P.S Wazirganj Dist Gaya
5. Dinesh Pandey S/o Ram Sharan Pandey R/O Village Amethi P.S Wazirganj Dist Gaya
6. Bijay Karan Pandey @ Butu Pandey S/o Jainandan Pandey R/O Village Amethi P.S Wazirganj Dist Gaya
7. Surendra Pandey S/o Shrikant Pandey R/O Village Amethi P.S Wazirganj Dist Gaya

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2024 Heard Mr. Prithivi Raj Singh, learned counsel for the

petitioners and Mr. Jitendra Kumar Singh, learned APP for the

State.

2. The petitioners are apprehending their arrest in

connection with Wazirganj P.S. Case No. 653 of 2023, F.I.R. dated

01.11.2023 registered for the offences punishable under Sections

323, 379, 324, 307, 504 and 506 of the Indian Penal Code.



3. Allegation against the petitioners is that they assaulted the informant by means of sharp edge weapon and sword due to which he sustained injured.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the informant and the petitioners are agnates to each other and there is case and counter case between the parties. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts that the petitioners having clean antecedents and there is no specific allegation of any assault or overt act against these petitioners and there is case and counter case between the parties, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Gaya in connection with Wazirganj P.S. Case No. 653 of 2023, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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