

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25797 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- NTPC District- Patna

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Kundan Pandey @ Kundan Kumar Pandey, Male, Aged about 46 years old,
S/O Sri Ram Bilash Pandey, R/O Village- Dhiwar, P.S- N.T.P.C (Barh),
District.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Shankar Das, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with
N.T.P.C. P.S. Case No. 14 of 2024 instituted for the offences
punishable under Sections 341, 323, 307, 354, 504, 506/34 of
the Indian Penal Code.

3. As per the prosecution case, on the alleged date of
occurrence while the informant was going to main road N.H.31
for taking vehicle in the meantime the petitioner along with
other accused persons started abusing and assaulting by means
of *lathi-danda* and *punch* in which informant and his family
members sustained injury. It is further alleged that the accused
persons have tossed down the wife of informant on road by



catching her hair and torn her cloth.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no specific allegation against the petitioner. There is case and counter case between both the parties. A statement has been made in para 3 of the bail petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 13.02.2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., impugned order dated 12.03.2024 and document produced by learned counsel for the petitioner, it appears that on the basis of written report of informant Sanjeev Pandey F.I.R. registered under Sections 341, 323, 307, 354, 504, 506/34 of the I.P.C. against four accused persons including the present petitioner. As per F.I.R., there is no specific allegation against the petitioner rather allegation levelled against the petitioner is general and omnibus in nature. Learned counsel for the petitioner has submitted that two co-accused persons namely, Alok Pandey and Gopal Pandey have already been granted anticipatory bail on 23.04.2024 by learned trial court and in this respect he has produced copy of



anticipatory bail petition no. 235 of 2024 before the Court.

7. Considering the facts and circumstances of the case, submissions made on behalf of the petitioner and period of custody of the petitioner as well as the fact that two co-accused persons already granted anticipatory bail by the trial court, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Ist, Barh at Patna in connection with N.T.P.C. P.S. Case No. 14 of 2024.

(Ramesh Chand Malviya, J)

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