

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31675 of 2024

Arising Out of PS. Case No.-386 Year-2023 Thana- Kharagpur District- Munger

Bhola Pandit, aged about 30 years, Male, Son of Late Bindeshwari Pandit,
Resident of Village- Baluakol, P.S- Kharagpur, Dist- Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-08-2024 Heard Mr. Surya Narayan Sah, learned counsel
appearing on behalf of the petitioner and Mr. Ram Bilash Roy
Raman, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kharagpur P.S. Case No. 386 of 2023 registered for the
offence(s) punishable under Sections 341, 307, 504, 506 and 34
of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, the accused
persons named therein including the petitioner had assaulted the
informant and fired upon him, causing firearm injury on his
arm.

4. Learned counsel appearing on behalf of the
petitioner submitted that allegation against the petitioner is
general and omnibus and specific allegation of firing upon the



informant is against co-accused Mohan Pandit. He further submitted that two other co-accused, namely, Sohan Pandit and Devendra Pandit have been granted bail by this Court *vide* order dated 12.03.2024 passed in Cr. Misc. No.14183 of 2024.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that specific allegation of firing upon the informant is against co-accused Mohan Pandit, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, 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, Munger in connection with Kharagpur P.S. Case No. 386/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been



stated in paragraph no.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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