

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 46360 of 2024

Arising Out of PS. Case No.-397 Year-2022 Thana- BARARI District- Katihar

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Dataala Pandit @ Roushan Kumar Pandey son of Bablu Pandit Village-
Mohana Chandpur PS- Barari Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Barari P.S. Case No. 397 of 2022 dated 02.11.2022, lodged
under Sections 147, 148, 149, 341, 386, 302 and 120(B) of the
I.P.C. read with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against five named and 15 unknown accused persons.
There are specific allegation against some of the named accused
persons in the F.I.R.

4. Learned counsel for the petitioner submits that
from the content of the F.I.R., it becomes crystal clear that
petitioner is not named in the F.I.R. His name was figured in the
list of unknown 15 accused persons. He further submits that the

petitioner has three antecedent, out of which, in one case he is on bail and in rest two cases, he is persuading for bail and he is in custody since 16.12.2023. He further submits that the both petitioner and informant belongs to the same locality and the dispute has resulted into doing the agricultural work in Bakiya Diyara area. He further submits that it has been categorically stated in bail petition that there are 9 antecedents of the deceased. He further submits that it may happens that the known enemy may have committed this offence and subsequently police have inserted his name maliciously.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Barari P.S. Case No. 397 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

7. It is made clear that the Trial Court shall accept the bail bond of petitioner on being satisfied that he is not absconding in the cases pending against him, as follows:-

(i) Barari P.S. Case No. 286 of 2020.

(ii) Barari P.S. Case No. 41 of 2021.

(iii) Barari P.S. Case No. 403 of 2022.

8. With this direction, the present bail application stands allowed.

(Dr. Anshuman, J)

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