

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48896 of 2024

Arising Out of PS. Case No.-105 Year-2022 Thana- BAGENGOLA District- Buxar

Govind Kumar Pandey @ Tuntun Pandey, son of Baiju Pandey @ Baijnath
Pandey Village- Pokhrahan Ps- Bagen Gola Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 325, 379, 504, 307 and 506 of
the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the informant
alleges that on account of dispute relating to land, the petitioner
fired causing firearm injury to his son Vikash Kumar Pandey.

4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant with an allegation that he fired causing injury to
Vikash, but then, draws the attention of the Court to the order



impugned to submit that the learned 4th Additional Sessions Judge, Buxar has recorded:- *“Despite of repeated direction of this Court, injury report of Vikash Kumar has not been produced on record.”* It is thus submitted that had Vikash been shot, then definitely his injury report would have been brought on record by the prosecution.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Bagen Gola P. S. Case No.105 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the injury report of Vikash Kumar Pandey and in the



event, if it is found that Vikash suffered firearm injury, in that event, the present anticipatory bail order shall not be given effect to, but if Vikash has not suffered any firearm injury, in that event, the anticipatory bail bonds of the petitioner shall be accepted forthwith.

9. Let a copy of this order be sent to the Superintendent of Police, Buxar, who shall ensure that the injury report of Vikash is sent to the learned trial Court expeditiously.

(Satyavrat Verma, J)

vikash/-

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