

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63921 of 2024

Arising Out of PS. Case No.-100 Year-2024 Thana- ASHTHAWAN District- Nalanda

Niku Pandey @ Nishant Pandey S/o Niru Pandey @ Neeraj Pandey @ Safari
Baba @ Niraj Kumar Pandey R/o Mohalla- Samachak Barbigha, P.S.
Barbigha, District Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mani Bhushan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-09-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Aasthawa P.S. Case No. 100 of 2024 registered for the

offences under Sections 354, 354B, 452, 504, 506, 507

and 509 of IPC and Sections 25 (1-b)a and 27 of the

Arms Act.

3. The petitioner is named in the F.I.R. and is

in custody since 07.05.2024.

4. The allegation against the petitioner is to



threaten informant to commit rape upon her minor daughter and also of abusing on mobile and further he trespassed into the house of informant on 06.05.2024 at about 8:20 PM and assaulted his wife and opened fire.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner is son-in-law of the neighbor of informant and out of said neighborhood disputes, when petitioner visited to his in-laws home, on the date of occurrence, he was falsely implicated with the present case. It is submitted that even empty cartridge was produced by informant and was not seized by police, from the place of occurrence. It is also submitted by learned counsel that investigation of this case is already completed but charge-sheet was not submitted under Arms Act as alleged through FIR. While concluding the argument it is submitted that petitioner found involved in five more cases, where he is on bail.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.



7. In view of the facts and circumstances as mentioned above and by taking note of nature of accusations, where implication under Arms Act not found true after investigation, coupled with the fact as petitioner is in custody since 07.05.2024, accordingly, petitioner, above named, is directed to be released on bail in connection with Aasthawa P.S. Case No. 100 of 2024 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, Biharshariff, Nalanda/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480 (3) of the BNSS.

(Chandra Shekhar Jha, J.)

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