

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55786 of 2024

Arising Out of PS. Case No.-460 Year-2022 Thana- KOTWA District- East Champaran

SUBHASH PANDEY S/O LATE NAGESHWAR PANDEY R/O VILLAGE-
AMWA @ DUMRA, P.S- KOTWA, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Kant Singh, Adv.
For the Opposite Party/s	:	Mr.Lalan Kumar, APP
For the Informant	:	Mr.Sanjay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner, learned counsel
for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 147, 148, 149, 341, 302 of the IPC and section 27 of the Arms Act.

3. The petitioner is said to have caught hold the informant and other accused persons made indiscriminate firing upon the husband of the informant, who died on the spot.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case due to enmity. There is general and omnibus allegation against the petitioner. The allegation to caught hold of the deceased or fire upon him is against other co-accused persons. The petitioner



had one criminal antecedent, in which he was acquitted and he is in custody since 22.05.2024.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Earlier the petitioner was granted anticipatory bail by this Court vide order dated 20.06.2023 passed in Cr. Misc. No.13043/2023, where after, the informant moved before the Apex Court and the Apex Court set aside the order dated 20.06.2023 and directed the petitioner to surrender before the Court below within two weeks. It is stated by learned counsel for the petitioner that pursuant to order of Apex Court, the petitioner surrendered within time and there is no allegation against him to tamper the witnesses.

7. In the aforesaid background, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Kotwa P.S. Case No.460 of 2022.

(Anjani Kumar Sharan, J)

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