

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57269 of 2023

Arising Out of PS. Case No.-20 Year-2017 Thana- CHAPRA TOWN District- Saran

Santosh Kumar Pandey Son Of Late Radha Krishna Pandey Resident Of
Village- Sultanganj, Ps- Rajendra College, Distt- Chapra Saran At Chapra
... .. Petitioner/s

Versus

1. The State of Bihar
2. Pawan Kumar Pandey Son Of Krishna Pandey Resident Of Village- Madha
Main Road, Ps- Chapra Muffasil, Distt- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar
For the Opposite Party/s	:	Mr. Md. Ataur Rahman
For the O.P. No.2	:	Mr. Vipin Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 4 27-02-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State assisted by learned counsel for the opposite party no.2.
2. The petitioner apprehends his arrest in Chapra Town P.S. Case No. 20 of 2017 registered for the offences punishable under Sections 420, 467, 468, 471, 323, 506 & 120B of the Indian Penal Code.
3. The petitioner in association of other co-accused is said to have assaulted the informant by fist and slap. The reason behind the occurrence is said to be land dispute.
4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to land dispute. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. It is further submitted that both the parties are agnates and there is dispute regarding family partition. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the opposite party no.2 vehemently opposed the bail petition. Learned counsel for the opposite party no.2 further submitted that the petitioner has suppressed his criminal antecedent as the petitioner was convicted in Sessions Trial No.59 of 2010/1759 of 2014. Hence, on the ground of suppression of material fact, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case as well as the fact that petitioner has suppressed his criminal antecedent, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

Trivedi/-

(Anjani Kumar Sharan, J)

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