

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61184 of 2024

Arising Out of PS. Case No.-36 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

1. Nagendra Pandey, S/O Late Shri pandey, R/O Village- Chamanpura, P.S- Baikunthpur, Distt.- Gopalganj.
2. Om Prakash Pandey, S/O Nagendra Pandey, R/O Village- Chamanpura, P.S- Baikunthpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-09-2024 1. Heard Mr. Lokesh Kumar Singh, learned counsel
for the petitioners and Mr. Ram Bilash Roy Raman, learned APP
for the State.

2. The petitioners apprehend their arrest in connection
with Baikunthpur P.S. Case No. 36 of 2023 dated 29.01.2023
registered for the offences punishable under sections 341, 323,
324, 354, 307, 379, 504 and 506 read with section 34 of the
Indian Penal Code.

3. Learned counsel appearing for the petitioners
submits that as per the allegation, the petitioner No. 1 inflicted a
farsa blow at the head of the informant's son but the same is not
corroborated by the injuries of the said injured person as on the



head of the injured, only one lacerated wound was found and other injuries found on his person were not specifically attributed to this petitioner. Learned counsel further submits that in between both the parties, there was land dispute at the relevant time of the occurrence and against the petitioner No. 2 there is no any serious allegation and in the last portion of the FIR his name was included as being involved in the alleged occurrence but there is no specific allegation against him.

4. Learned APP for the State has opposed the bail prayer of the petitioners.

5. Considering the specific allegation appearing against the petitioner No. 1, this Court is not inclined to grant anticipatory bail to him. Accordingly, the prayer of the petitioner No. 1 stands rejected.

6. So far as the prayer of petitioner No. 2 is concerned, from bare perusal of the FIR itself, it appears that though the name of this petitioner appears in the last portion of the FIR but there is no specific allegation against him, and also, he has got fair and clean antecedent. Considering these facts, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, let the petitioner No. 2 named-above, in the event of his arrest or surrender before the learned Court below within



a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Baikunthpur P.S. Case No. 36 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

annu/-

U		T	
---	--	---	--

