

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61629 of 2024

Arising Out of PS. Case No.-415 Year-2021 Thana- BODHGAYA District- Gaya

Rohit Pandey Son of Gauri Shankar Pandey @ Gaurishankar Pandey @ Kittu
Pandey R/O Vill.- Nebatpur, P.S.- Bodhgaya, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner along with other co-accused persons are said to have surrounded the Auto and co-accused, Rahul Pandey shot fire upon the informant's mother, causing her death.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



there is no specific overt act against the petitioner. Similarly situated co-accused has been enlarged on bail by this Court vide order dated 22.11.2022 passed in Cr. Misc. No. 37693 of 2022. Petitioner has two criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail and submits that it is not fit case for anticipatory bail, as the petitioner has two criminal antecedents.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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/successor Court in connection with Bodhgaya P.S. Case No. 415 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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