

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66979 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- HARNAUT District- Nalanda

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1. RAKESH PANDEY son of Shatrughan Pandey @ Shatrudhan Pandey
Village- Gokhulpur Ps- Harnaut Dist- Nalanda
 2. Neeraj Pandey @ Neeraj Kumar Pandey son of Rakesh Pandey Village-
Gokhulpur Ps- Harnaut Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. Petitioners apprehends their arrest in connection with
Harnaut P.S. Case No.113 of 2023, registered for the offence
punishable u/s 341, 323, 307, 504 and 506/34 of the IPC.

3. Learned counsel for the petitioners seeks permission to
withdraw this application as against the petitioner no.2.

4. Permission is granted.

5. Accordingly, the instant application as against the
petitioner no.2 is dismissed as withdrawn.

6. However, if the petitioner no.2 surrenders before the
learned Court below within six weeks from today and seek



regular bail, the learned Court below shall pass the order on the same day, in accordance with law.

7. Now, this application is being heard with regard to the petitioner no.1 only.

8. Allegedly, the petitioner and other co-accused persons assaulted the informant and his family members due to which the uncle of the informant sustained grievous injury.

9. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He further submits that similarly situated co-accused persons have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No.65246 of 2023 dated 18.10.2023. Petitioner has one criminal antecedent.

10. Learned APP for the State opposed the prayer for anticipatory bail.

11. Having regard to the facts and circumstances of the case as there is general and omnibus allegation against the petitioner no.1, let the above named petitioner no.1, 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 Harnaut P.S. Case No.113 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

12. This application is, accordingly, partly allowed.

(Anjani Kumar Sharan, J)

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