

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68680 of 2023

Arising Out of PS. Case No.-1801 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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RAVINDRA NATH PANDEY @ RABINDRA PANDEY SON OF LATE
VALESHWAR PANDEY VILLAGE- TIKAPUR BAHORANPUR, PS-
SHAHPUR, DIST- BHOJPUR, BIHAR- 802165

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. ASHOK PANDEY NA VILLAGE- SONKI, PO- SUHIYA, PS- SHAHPUR,
DIST- BHOJPUR, BIHAR- 802166

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 69199 of 2023

Arising Out of PS. Case No.-1801 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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RAJESH KUMAR PANDEY @ RAJESH PANDEY SON OF ANIL
PANDEY R/O HOUSE NO. 84, VILLAGE AND PO AND PS- SHAHPUR,
DIST- BHOJPUR, BIHAR- 802165

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. ASHOK PANDEY SON OF NAGA PANDEY VILLAGE- SONKI, PO-
SUHIYA, PS- SHAHPUR, DIST- BHOJPUR, BIHAR-802166

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 72670 of 2023

Arising Out of PS. Case No.-1801 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Pankaj Kumar Thakur @ Pankaj Thakur Son of Prabhunath Thakur, Resident
of Village - Chakki Nauranga, P.s. - Bairiya, District- Ballia, Uttar Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. Ashok Pandey xx Resident of Village - Sonki, P.O. - Suhiya, P.s. - Shahpur,
District- Bhojpur, Bihar- 802166.

... .. Opposite Party/s



Appearance :

(In CRIMINAL MISCELLANEOUS No. 68680 of 2023)

For the Petitioner/s : Mr.Sumit Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

(In CRIMINAL MISCELLANEOUS No. 69199 of 2023)

For the Petitioner/s : Mr.Sumit Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

(In CRIMINAL MISCELLANEOUS No. 72670 of 2023)

For the Petitioner/s : Mr.Sumit Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-07-2024 As all these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

2. Though notice was validly served upon the O.P. No.2 but O.P No.2 has refused to accept it.

3. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 304, 304(A), 120B, 504, 506/34 of the Indian Penal Code.

4. As per the complaint petition, the petitioners in conspiracy with each other and without having any qualification operated upon the body of the complainant's wife and due to wrong operation and excessive bleeding the complainant's wife died.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that the occurrence took place on 13.10.2022 but the complaint was lodged on 10.11.2022 i.e. after a delay of about one month without giving any credible explanation regarding the same. Petitioners have no criminal antecedent.

6. Learned APP for the State vehemently opposed the prayer for anticipatory bail.

7. Having regard to the facts and circumstances of the case as well as considering that the O.P. No.2 refused to accept the notice and there is a delay in lodging of complaint, let the above named petitioners, be released on bail, in the event of their 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) **each** 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 Complaint Case No.1801(C) of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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