

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75743 of 2024

Arising Out of PS. Case No.-294 Year-2024 Thana- BRAHMPUR District- Buxar

1.

Pradeep Pandey S/o Late Vijay Gopal Pandey Resident of village and PO and PS- Brahampur, District- Buxar
2.

Aman Pandey S/o Late Vijay Gopal Pandey Resident of village and PO and PS- Brahampur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Adv.
For the Opposite Party/s : Mr.Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2

23-10-2024

Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Brahampur P.S. Case No. 294 of 2024, registered for the offences under Sections 341, 323, 307, 379, 504, 506, 34 and 324 of the Indian Penal Code.

3. As per the prosecution case, petitioners and other co-accused persons caught hold of the informant and snatched Rs.8570/- and gold locket and co-accused hit the informant on his head with iron rod causing injury to him.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have

been falsely implicated in this case. There is case and counter case between the parties and for the occurrence of same date, co-accused Ashutosh Pandey has registered Brahampur P.S. Case No. 295 of 2024 against the informant and others. The co-accused Shivam Pandey suffered the injury of two broken teeth in this assault. The female family members of Ashutosh Pandey were also assaulted. The petitioners are in custody since 20.06.2024 and charge sheet has been submitted against the petitioners. The petitioners are having antecedent of four cases in which they are on bail.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners. Learned A.P.P. submits that the petitioners appear to be habitual offender. The petitioners brutally assaulted the informant of this case who received four injuries and two such injuries are on the head.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the case and counter case between the parties and further considering the general and non specific nature of allegation against the petitioners, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each

to the satisfaction of learned C.J.M., Buxar/concerned court, in connection with Brahampur P.S. Case No. 294 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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