

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84325 of 2023

Arising Out of PS. Case No.-129 Year-2023 Thana- DORIGANJ District- Saran

1. Guru Dayal Pandey @ Rugru Dayal Pandey Son of Late Awadh Kishore Pandey R/o vill - Chirand, P.S. - Doriganj, Distt. - Saran
2. Nauratan Pandey @ Navratan Pandey Son of Late Awadh Kishore Pandey R/o vill - Chirand, P.S. - Doriganj, Distt. - Saran
3. Suraj Pandey @ Mithu Pandey @ Suraj Kumar Pandey Son of Late Awadh Kishore Pandey R/o vill - Chirand, P.S. - Doriganj, Distt. - Saran
4. Shankar Dayal Pandey Son of Late Awadh Kishore Pandey R/o vill - Chirand, P.S. - Doriganj, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 307, 379, 506 and 504 of the Indian Penal Code.

3. Allegation against the petitioners is that they along with other co-accused persons have assaulted the informant and his family members. Petitioner nos. 2 and 3 along with other co-accused have assaulted the informant and broke his hand with



rod. Petitioners and other co-accused also tried to outrage the modesty of female members and also took jewelry worth Rs. 1,50,000/-.

4. It is submitted by learned counsel for the petitioner that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is case and counter case between the parties. The injury sustained by the victim is grievous in nature caused by petitioner no. 2. There is specific allegation of assaulting against petitioner no. 2. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the informant vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the arguments of the parties and on perusal of record, it is clear that there is no specific allegation against the petitioner nos. 1, 3 and 4, let the above named petitioner nos. 1, 3 and 4, 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 Doriganj P.S. Case No. 129 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the allegation of assaulting the informant and his family members due to which they got badly injured and also tried to outrage the modesty of female members is serious in nature, I am not inclined to enlarge petitioner no.2 on anticipatory bail. The prayer for bail is hereby rejected.

(Anjani Kumar Sharan, J)

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