

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2706 of 2024**

Arising Out of PS. Case No.-187 Year-2023 Thana- SHEIKHOPUR SARAI District-Sheikhpura

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1. Bablu Pandey, S/O Ambika Pandey R/O Village-Mohabbatpur, P.S.-SHEKHOPUR Sarai, District-Sheikhpura
  2. Dipak Pandey @ DIPAK Kumar Pandey S/O Ambika Pandey R/O Village-Mohabbatpur, P.S.-SHEKHOPUR Sarai, District-Sheikhpura
  3. Markandey Pandey, S/O Late Ramanand Pandey R/O Village-Mohabbatpur, P.S.-SHEKHOPUR Sarai, District-Sheikhpura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

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|--------------------------|---|--------------------------|
| For the Petitioner/s     | : | Mr. Jitendra Kumar, Adv. |
| For the Opposite Party/s | : | Mrs. Anita Kumari, APP   |
| For the Informant        | : | Mr. Binay Kumar, Adv.    |

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      31-01-2024                      Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioners seeks regular bail in connection with Shekhopur Sarai P.S. Case No. 187 of 2023, lodged on 30.09.2023 under Sections 147, 148, 149, 341, 385, 307, 354(B), 379, 452, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged against 8 named accused persons including the present petitioners against whom there is an allegation that they entered into the house of the informant with a view to take revenge on the allegation that the informant disclosed before the police that



the petitioners were involved in selling the wine. There are allegations against the petitioners in the FIR.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that the relation between the informant and the petitioners side are not good and only due to this reason and under a conspiracy, the name of the petitioners were disclosed by the informant's side. Counsel further submits that the antecedent of the petitioner no.1 and 2 is not clean and there are three criminal cases pending against them in which they are on bail and the antecedent of the petitioner no.3 is also not clean and there are two criminal cases pending against him in which he is on bail.

5. Learned counsel for the petitioners further submits that petitioner no.1 is in custody since 03.11.2023, petitioner no.2 is in custody since 08.11.2023 and the petitioner no.3 is in custody since 25.10.2023.

6. Learned APP for the State and learned counsel for the informant vehemently opposes the prayer for bail of the petitioners and submits that there are specific allegation against the petitioners who were involved in commission of the crime and also tried to outrage the modesty of the informant.



7. Upon perusal, it transpires that there are allegation against the petitioners no.1 and 2, but the petitioner no.3 is only member of the mob.

8. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioners no.1 and 2 namely Bablu Pandey and Dipak Pandey @ Dipak Kumar Pandey.

9. Accordingly, the prayer for regular bail of the petitioners no.1 and 2 namely Bablu Pandey and Dipak Pandey @ Dipak Kumar Pandey in connection with Shekhopur Sarai P.S. Case No. 187 of 2023, pending before the learned Chief Judicial Magistrate, Sheikhopura is hereby rejected.

10. However, in the present facts and circumstances of this case and the submissions made above, let the petitioner no.3 namely Markandey Pandey be granted bail, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhopura in connection with Shekhopur Sarai P.S. Case No. 187 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

11. Liberty is hereby granted to the petitioners no.1 and 2 that they may renew their prayer for bail two months after framing of charge.

**(Dr. Anshuman, J.)**

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