

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27370 of 2025

Arising Out of PS. Case No.-210 Year-2024 Thana- KOILWAR District- Bhojpur

Niraj Pandey S/O Satyendra Pandey @ Satyendra Kumar Pandey R/O
Village- Pachrukhiya Kala, P.S- Koilwar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Kumar
For the Opposite Party/s : Mr.Narendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 12-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Koilwar P.S. Case No. 210 of 2024 dated 02.05.2024 registered
for the offences punishable under Sections 302 read with
Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, on 01.05.2024 at 3.30
P.M., the son of the informant, Vikash Mahto and his some
villagers went to *Gadhैया Sand Mines* to work there where
firing took place to establish supremacy on mining of sand in
which some persons got injured by bullets. The informant went
there and found his son and Sudarshan Rai got injured by bullets
in the said firing and died during their treatment. It is further



alleged that the informant and Tulsi Rai, the father of Sudarshan Rai, went to hospital and found that the bullets hit 3-4 places on the bodies of the deceased. They also came to know that at *Kamaluchak Gadhैया Balu Ghat*, the incident of firing took place between the group of Satyendra Pandey, his son Niraj Pandey (petitioner) and Guddu Rai and in the said incident, the informant's son Vikash Mahto and Sudarshan Rai died due to injuries of bullet and one Purnmashi Ram, the villager of the informant also sustained injuries of firearms in the said incident.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Saroj Ray. It is further submitted that the firing was made between two groups of mining of *Sone* sand between Satendra Pandey and his son and Guddu Rai's group for domination of the mines. There is no specific allegation against the petitioner rather the allegation against the petitioner is general and omnibus in nature. The charge-sheet has been submitted against the petitioner. The petitioner has no concern with the alleged offence. No incriminating article has been recovered from his conscious possession. The other co-accused



person has already been granted regular bail by this court *vide* order dated 03.07.2025 passed in Cr. Misc. No. 73274/2024. The petitioner has 15 criminal antecedents and he has been acquitted in three cases and he is on bail in 12 criminal cases in which one case is related to the offence u/s 302 of I.P.C. as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 04.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Bhojpur at Ara or concern court, Bhojpur at Ara in connection with Koilwar P.S. Case No. 210 of 2024 with following conditions:-

(i). The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(ii). If the petitioner is found involved in similar



nature of offence in future, the prosecution will be at liberty to
move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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