

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66256 of 2024

Arising Out of PS. Case No.-135 Year-2024 Thana- RAJPUR District- Buxar

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1. Bimalesh Kumar Pandey @ Vimallesh Kumar Pandey @ Vimallesh Pandey
S/o Late Vinod Pandey R/o vill - Mangraon, P.S. - Rajpur, Distt. - Buxar
 2. Sitaram Pandey @ Sonu Pandey S/o Harihar Pandey R/o vill - Mangraon,
P.S. - Rajpur, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 18-01-2025 Heard the learned Advocate for the petitioners and
the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Rajpur P.S. Case No. 135 of 2024, registered for the offences punishable under Sections 447, 341, 323, 307, 354, 379, 109, 504/34 of the Indian Penal Code and 27 Arms Act.

3. The allegation against the petitioners is of causing firing, abusing and assaulting the informant.

4. Learned Advocate appearing on behalf of the petitioners contended that the present case is nothing but the counter blast of Rajpur P.S. Case No. 134 of 2024, which has



been instituted on earlier point of time against the informant and his family members with an allegation that it is the informant and his family members, who have entered in the house of the petitioners and assaulted them. It is further contended that as per the narrations made in the FIR, omnibus nature of allegation has been levelled against all the accused persons including the petitioners. However, none of the person has sustained any injury. The accused persons of the counter case have been allowed the privilege of anticipatory bail by this Court and the petitioners seek parity having similar allegation.

5. On the other hand, learned APP for the State vehemently opposed the pre-arrest bail application and submits that both the petitioners bear two criminal antecedent of serious nature and they are never accused with an allegation of active participation.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the factum of case and counter case and the fact that the co-accused persons of the counter case have been allowed the privilege of anticipatory bail on the same allegation, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below



within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Rajpur P.S. Case No.135 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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