

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65552 of 2024

Arising Out of PS. Case No.-134 Year-2024 Thana- RAJPUR District- Buxar

1. Diwakar Pandey Son of Akhileshwar Pandey Resident of Village- Sangraon, P.S.- Rajpur, Distt.- Buxar
2. Chandrakant Pandey @ Gorakh Pandey Son of Narvdeswar Pandey Resident of Village- Sangraon, P.S.- Rajpur, Distt.- Buxar
3. Vinod Pandey @ Vinod Kumar Pandey @ Latu Pandey @ Laddu Pandey Son of Jomdhari Pandey Resident of Village- Sangraon, P.S.- Rajpur, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, 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. 134 of 2024, registered for the offences punishable under Sections 447, 448, 341, 379, 504, 307, 148, 148, 149 of the Indian Penal Code.

3. Based upon the written report the prosecution alleges, that on the fateful day, all the FIR named accused persons including the petitioners and other unknown persons entered into the house of the informant and started abusing and made open firing. It is also alleged that while fleeing from the



place of occurrence the accused persons also snatched golden chain of the younger daughter-in-law of the informant.

4. Learned Advocate appearing on behalf of the petitioners contended that narrations made in the FIR clearly suggests omnibus allegation against all the accused persons. During the alleged incidence neither any person has sustained any injury nor any mark of bullet has been found. There is a counter version of the present case being Rajpur P.S. Case No. 135 of 2024 instituted by the brother of the petitioner no.2 against the son of the informant and other persons. The false implication of the petitioners in the present case has been narrated in paragraph no.9 of the bail application. It is next contended that though the petitioner no. 1 has no criminal antecedent. However, petitioner nos. 2 and 3 bear two criminal antecedent. However, they are on bail in all the cases.

5. On the other hand, learned APP for the State vehemently opposed the pre-arrest bail application and submits that the criminal antecedent of the petitioner nos. 2 and 3 clearly suggests that they are involved in such kind of activities.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that none has sustained any injury coupled with the case



and counter case, 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 A.C.J.M. -Ist, Buxar in connection with Rajpur P.S. Case No.134 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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