

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89171 of 2024

Arising Out of PS. Case No.-258 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

Atul Bihari Pandey @ Atul Pandey Pandey @ Nikhil Pandey Son of Jitendra
Pandey Resident of Village- Semaria, P.S.- Ara Muffasil, District- Bhojpuri

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

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

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.Tr. No. 145/2023 arising out of Ara Muffasil P.S. Case No. 258 of 2022 dated 07.08.2022 registered for the offences punishable u/ss 392, 411 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, unknown miscreants are alleged to have committed murder of the informant's colleague.

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 Sumit Kumar. There is no eye witness to the alleged occurrence. The other co-accused person has already been granted bail by this court *vide* order dated 24.07.2023 passed in Cr. Misc. No. 40460/2023. The petitioner has five antecedents and he is on bail in four cases as stated in para 3 of the bail petition. The petitioner is in custody since 29.08.2022.

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 Court concerned, Bhojpur at Ara in connection with S.Tr. No. 145/2023 arising out of Ara Muffasil P.S. Case No. 258 of 2022, with the condition:-

(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 bond of the petitioner is liable to be cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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