

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18631 of 2019

Arising Out of PS. Case No.-420 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Kisnath Pandit Son of Ramdhari Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 2. Ramashankar Pandit Son of Late Munni Lal Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 3. Lalan Pandit Son of Late Manju Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 4. Awadhesh Pandit Son of late Manju Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 5. Naresh Pandit Son of Dina Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 6. Mahesh Pandit Son of Bhola Pandit @ Bhola Prasad Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 7. Mukesh Pandit Son of Phulan Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 8. Suresh Pandit Son of Bhrigun Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 9. Hiralal Pandit Son of Nagina Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 10. Baccha Pandit Son of Mathura pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 11. Satesh Kumar @ Satish kumar Pandit @ Satesh Kumar Pandit Son of Surendra Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 12. Deepak Kumar @ Deepak Kumar Pandit Son of Srikishun Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 13. Arjun Kumar @ Arjun Pandit Son of manju Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 14. Bablu Kumar @ Bablu Pandit Son of Ramashish Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.
 15. Shyambabu Pandit Son of Phulan Pandit Resident of Village - Pipranarayan, P.s.- G.B. Nagar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s



Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-03-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 323, 324, 307, 504, 506 and 427 of the IPC.

The prosecution case, as per the written report of Ghanshyam Chaubey, dated 16.12.2018, submitted to the Station House Officer, G.B. Nagar Police Station, is to the effect that on the same day at about 9 A.M., when the informant was cleaning his purchased land, in the meantime, all the FIR named accused persons including the petitioners came variously armed, surrounded him and started abusing the informant and on protest being made, on the order of co-accused, Bhola Pandi, Rameshwar Pandit, petitioner no.3, Lalan Pandit and petitioner no.4, Awadhesh Pandit, petitioner no.5, Naresh Pandit assaulted with sword causing injury on the forehead of the informant, whereas petitioner no.3, Lalan Pandit assaulted the informant with a hockey stick and when Baliram Pandit, Shivshankar Pandit, Kamal Pandit, Satrugan Pandit and Basmati Devi came to rescue him then they were also assaulted by all the accused



persons.

It is submitted by learned counsel for the petitioners that the accusation has been levelled against the petitioners in the background of land dispute. The accusation against the petitioners, except petition no.3, Lalan Pandit, is omnibus and general. Though, the informant claims that he received several injuries, but the impugned order suggests that there is no injury report of the informant on record. It is further submitted that there is counter version of the occurrence also being, G.B. Nagar P.S. Case No. 421 of 2018.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the accusation against the petitioners being general and omnibus and the fact that the impugned order suggests that no injury report of the informant is on record and there is counter version of the occurrence, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Siwan in connection with G.B. Nagar P.S. Case No. 420 of 2018, subject to the



condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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