

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66688 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- CHANDRADIP District- Jamui

1. Rajiv Pandit S/O Manu Pandit @ Mannu Pandit R/O Village- Aliganj, P.S- Chandradeep, Distt.- Jamui.
2. Chandan Kumar S/O Natho Pandit R/O Village- Aliganj, P.S- Chandradeep, Distt.- Jamui.
3. Natho Pandit S/O Manu Pandit @ Mannu Pandit R/O Village- Aliganj, P.S- Chandradeep, Distt.- Jamui.
4. Manu Pandit @ Mannu Pandit S/O Ram Pandit R/O Village- Aliganj, P.S- Chandradeep, Distt.- Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Akash Raj, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Chandradeep P.S. Case No. 111 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 354-A, 504 and 506 of the Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, on 19.06.2023 at about 06:00 P.M. the informant went at the house of Mannu Pandit (petitioner no. 4) and demanded papers regarding his house and land on which Mannu pandit abused the informant and on protest by the informant, all the accused persons including these



petitioners variously armed assaulted the informant. It is further alleged that Rajiv Pandit (petitioner no. 1) assaulted on the head of the informant by the iron rod, in the meantime, when the father of the informant came to rescue him, the accused Chandan Kumar (petitioner no. 2) also assaulted the father of the informant by means of rod, thereafter, Natho Pandit (petitioner no. 3) and co-accused Bharat Pandit with the intention to kill the father of the informant took out pistol and also assaulted the mother of the informant and tried to outrage her modesty.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is case and counter case between the parties and petitioners' side also suffered injuries. It is submitted that the injury report of petitioner no. 4 shows that the injury is grievous in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is stated that there is a case and counter case between the parties, there are two different versions of the prosecution story and both the parties seem to have indulged in a free fight and assaulted each other, the petitioners have also suffered injuries which would be evident from the injury report



available on the record, particularly, the injury report of petitioner no. 4 showing that he suffered grievous injury and his wife has lodged the counter case, in the nature of the dispute and the materials present before this Court, this Court directs that in case of their arrest or surrender within a period of six weeks from today, the petitioners above named be released on bail in connection with Chandradeep P.S. Case No. 111 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Jamui, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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