

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21455 of 2024

Arising Out of PS. Case No.-166 Year-2021 Thana- HARLAKHI District- Madhubani

1. Lalan Pandey Son of Sri Satya Narayan Pandey Resident of Vill.-Karuna, P.S.-Harlakhi, Distt.-Madhubani
2. Sajjan Pandey @ Sanjan Pandey Son of Sri Satya Narayan Pandey Resident of Vill.-Karuna, P.S.-Harlakhi, Distt.-Madhubani
3. Raja Pandey Son of Sri Sajjan Pandey @ Sanjan Pandey Resident of Vill.-Karuna, P.S.-Harlakhi, Distt.-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Harlakhi P.S. Case No. 166 of 2021, instituted for the offences punishable under Sections 341, 323, 307, 354(A), 379, 448 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioners along with other co-accused persons armed with deadly weapon pressurized the husband of the informant for registry of the land. On refusal of the same, accused persons



started abusing them and on protest petitioner no. 1 and 2 gave a *farsa* blow on the head of the husband of the informant, namely Arun Pandey and son of the informant, namely Pankaj Pandey, and petitioner No. 3 abused and assaulted the informant. The accused persons also looted various articles from the house of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating article have been recovered from the conscious possession of the petitioners. There is a case and counter case between the parties. Learned counsel further submitted that the injury report of the husband of the informant is not available on record in the case diary and so far as injury report of son of the informant, namely Pankaj Pandey is concerned, the same is discussed in the impugned order which shows that he sustained cut injuries on his head. Learned counsel for the petitioners further submits that the petitioners are languishing in judicial custody since 12.01.2024 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances



of the case, case and counter-case between the parties, nature of injury as well as taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Harlakhi P.S. Case No. 166 of 2021.

(Rudra Prakash Mishra, J)

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