

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23539 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- RAJPUR District- Buxar

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1. Lal Saheb Pandey, (M), aged about 55 years, S/o Late Kamla Kant Pandey, R/o vill - Katarya, P.S. - Rajpur, Distt. - Buxar.
 2. Santosh Pandey @ Santosh Kumar Pandey, (M), aged about 48 years, S/o Late Kamla Kant Pandey, R/o vill - Katarya, P.S. - Rajpur, Distt. - Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ramakant Yadav, Advocate

For the Opposite Party : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rajpur P.S. Case No. 15 of 2024 dated 10.01.2024 registered for the offences punishable under Sections 341, 323, 337, 307, 504 and 506/34 of the I.P.C.

3. As per the prosecution case, while the informant was harvesting paddy, due to old land dispute, the petitioners having *Baisakhi* and *Rami* in their hands came there and started abusing him. On protest, Lal Saheb Pandey (petitioner no. 1) inflicted *Baisakhi* blow on his head due to that blood started oozing out. When his brother Sudama Pandey came to rescue



him, Santosh Pandey (petitioner no. 2) inflicted *Rami* blow on his head due to that blood started oozing out. Anyhow, they saved their lives.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. It is submitted that both parties are co-villagers and land dispute is going on between the parties. There is also case and counter case between the parties. There is free fight between the parties in which both sides sustained injuries. There is general and omnibus allegation against the petitioners. The doctor medically examined injured Laxman Pandey and his brother Sudama Pandey and opined the injury simple in nature. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Buxar in



connection with Rajpur P.S. Case No. 15 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:-

I. The petitioners are 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 bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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