

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34503 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

1. Balendra Pandey @ Blander Pandey Son Of Bharat Pandey Village- Mangru Chapra, P.S.- Baikunthpur, Dist- Gopalganj
2. Niraj Pandey @ Neeraj Pandey Son Of Balendra Pandey @ Blander Pandey Village- Mangru Chapra, P.S.- Baikunthpur, Dist- Gopalganj
3. Nigam Pandey @ Nigam Kumar Pandey Son Of Late Lakhandar Pandey Village- Mangru Chapra, P.S.- Baikunthpur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ansh Prasad, Advocate
For the State	:	Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-05-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 325, 447, 427, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of occurrence, while the informant was returning to his house from work, in the meantime, these petitioners, along with other accused persons named in the F.I.R., came armed with weapons breaking the door of house of the informant and assaulted the his family members, on account of which three persons sustained injuries.



4. Learned counsel appearing on behalf of the petitioners submits that the petitioners have falsely been implicated in this case. As a matter of fact, on 13.05.2023, Petitioner No. 3, namely Nigam Pandey, was attacked by the informant's side and when the family members of Petitioner No. 3 went to the house of the informant side, the informant side attacked the family members of the petitioner by means of lathi, iron rod and farsa, on account of which Baikunthpur P.S. Case No. 164 of 2023 was registered on 13.05.2023 and in order to save their skin, this false and concocted case has been lodged. Learned counsel further submits that allegation of assault against these petitioners is general and omnibus and the injuries sustained by the injured are simple in nature.

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

6. Considering the backdrop in which the incident took place and nature of accusation, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Baikunthpur P.S. Case No.163 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

