

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66427 of 2024

Arising Out of PS. Case No.-249 Year-2023 Thana- BELHAR District- Banka

1. Manoj Pandit @ Manoj Kr. Pandit Son of Bhupal Pandit Resident of Village - Ghuthiya, Police Station - Belhar, District - Banka
2. Tuntun Pandit @ Upendra Pandit @ Upendra Son of Bhupal Pandit Resident of Village - Ghuthiya, Police Station - Belhar, District - Banka
3. Bhupal Pandit Son of Late Beni Pandit Resident of Village - Ghuthiya, Police Station - Belhar, District - Banka
4. Kanchan Devi Wife of Tuntun Pandit @ Upendra Pandit @ Upendra Resident of Village - Ghuthiya, Police Station - Belhar, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Belhar P.S. Case No. 249 of 2023 registered for the offences punishable under Sections 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code.

3. Prosecution case in a nutshell is that petitioners along with others have assaulted the informant on his head by means of *Tengari*, *Khanti*, *Lathi* and iron rod. It is further alleged that when the wife of the informant came at rescue, she



was also assaulted by petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. Learned counsel submits that from perusal of the FIR itself, there is no specific allegation alleged against these petitioners. Allegations are general and omnibus in nature. So far as injury is concerned, the same is simple in nature. It is submitted that this case is counter blast of Belhar P.S. Case No. 248 of 2023, which is lodged by petitioner No.3. Petitioners bear clean antecedent.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Belhar P.S.



Case No. 249 of 2023, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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