

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74144 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- KIUL District- Lakhisarai

Sakichand Pandit S/o Balmiki Pandit @ Vlmiki Pandit R/o Village- Singarpur
Bichhwey, P.S.- Kiul, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Kiul P.S. Case No.68 of 2024 for the offences punishable under Sections 126(2), 115, 109, 352, 3(5) of BNS, 2023 lodged on 02.08.2024 by the informant, Krishnanandan Pandit.

3. As per the prosecution story, the informant alleged that earlier a quarrel took place between the children and the elders stepped in. Allegation is that Jitendra Pandit assaulted on the head of informant by iron axe causing injury which followed the assault by Lathi by Ruby Devi and Reena Devi. So far as this petitioner is concerned, he assaulted Kameshwar Pandit by iron rod causing injury on his head and mouth. Further, Mithilesh Pandit assaulted the father of the informant while Balmiki Pandit assaulted Ganesh Pandit, Suraj Pandit assaulted



Ganesh Pandit and Mithilesh Pandit and Suraj Pandit further assaulted Kameshwar Pandit, he was taken to Sadar Hospital, then, the FIR.

4. Learned counsel for the petitioner submits that due to minor issue of the fighting of the children, the elders were involved, scuffle took place which led to the injury, they also wanted to lodge counter case but the police did not do so.

5. Learned APP, Mr. Bharat Bhushan has taken this Court to the injury report of Kameshwar Pandit to show that the injury on the forehead has been found to be grievous in nature.

6. Considering the allegation that has come against the petitioner having assaulted the aged father of the informant causing head injury which has been found to be grievous in nature, for the present, this Court is not inclined to grant bail to the petitioner. The same is, accordingly, rejected.

(Rajiv Roy, J)

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