

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86748 of 2024

Arising Out of PS. Case No.-121 Year-2023 Thana- KADIRGANJ District- Patna

Surendra Pandit S/O Late Ram Vishundeo Pandit RO Village - Daulatabad,
P.S- Kadirganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Kishore Kumar
For the Opposite Party/s	:	Mr.Shyam Kumar Singh
For the Informant	:	Mr. Ajeet Kumar Bhardwaj

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Kadirganj P.S. Case No. 121 of 2023 dated 26.10.2023 registered for the offences punishable under Sections 341, 323, 307, 448, 504, 506, 379/34 of the I.P.C. Later on, Section 302 of the I.P.C. was also added.

3. As per the prosecution case, the paddy crops of the informant was being forcibly taken away by the accused persons. When he protested, the accused persons came to his house and assaulted, due to which, his father Pundeo Pandit and his brother Bittu Kumar became unconscious. The accused persons also snatched *Jitiya Mangalsutra* of his mother. It is



further alleged that in the said scuffle, Surendra Pandit, Santosh Pandit, Srikant Pandit, Ravi Kant Pandit and Shashi Kant Pandit assaulted them with *iron rod* and *Khanti*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that both parties are own agnates and assaulted each other. There is case and counter case between the parties. There is also land dispute between the parties because they are co-sharers. It is further alleged that the occurrence took place on 26.10.2023 and the F.I.R. has also been lodged on 26.10.2023 but the same was forwarded to the learned court below on 29.10.2023. It is further submitted that from perusal of the F.I.R., it would appear that the Surendra Pandit (petitioner), Santosh Pandit, Srikant Pandit, Ravi Kant Pandit and Shashi Kant Pandit have assaulted the informant's father with *iron rod* and *Khanti* but he has not disclosed a single word that which accused person has assaulted on which part of the body which creates doubt about the prosecution case. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 30.10.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the



petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Ist Class, Masaurhi, Patna in connection with Kadirganj P.S. Case No. 121 of 2023 with further condition:-

(I). The petitioner is 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 petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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