

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1310 of 2025

Arising Out of PS. Case No.-251 Year-2024 Thana- GOVINDGANJ District- East
Champaran

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Santosh Kumar Pandey, S/O Rameshwar Pandey, Resident of Village-
Mishrauliya Dah, P.S- Govindganj, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr.Yogendra Kumar, APP
For the Informant	:	Mr. Jitendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel appearing on behalf of the

petitioner, learned Additional Public Prosecutor appearing on

behalf of the State and learned counsel appearing on behalf of

the informant.

2. The accused/petitioner is named in F.I.R. and

apprehending his arrest in connection with Govindganj P.S.

Case No. 251 of 2024, registered for the offences punishable

under Sections 147, 148, 447, 341, 323, 325,

307,354(B),379,504,506 of the Indian Penal Code.

3.The allegation against the petitioner is to assault

the uncle of the informant during the course of occurrence by

way of *Farsa* causing head injuries, where occurrence is



alleged to be arising out of land dispute.

4. Learned counsel appearing on behalf of the petitioner submitted that the present occurrence took place due to land dispute, where the both parties are agnates. It is pointed out that occurrence was of free fight in nature, where other persons also alleged to assault the uncle of the informant. It is pointed out that the nature of weapon as alleged to cause injury not appears corroborated with nature of injury as found by the doctor upon medical examination of injured because same is lacerated, which not appears possible by a sharp edged cut weapon like *farsa*, making the allegation false on its face. While concluding the argument, it is submitted that petitioner found involved in two more criminal cases, where he is on bail

5. Learned APP duly assisted by learned counsel Mr. Jitendra Kumar appearing on behalf of the informant, while opposing the prayer of anticipatory bail submitted that this petitioner including co-accused persons repeatedly assaulted the uncle of the informant, causing seven injuries. It is pointed out that the allegation against



this petitioner is specific as to cause grievous head injury to the uncle of the informant during the occurrence, which is sufficient to gather that petitioner was under intention to cause death. It is also pointed out that petitioner is a man of criminal antecedents and he found involved in two more criminal cases of similar nature.

6. Considering the aforesaid facts and circumstances and by taking note of fact as allegation against this petitioner is specific to assault on the head of uncle of the informant, causing grievous injury, accordingly, the prayer of anticipatory bail of the petitioner stands rejected.

(Chandra Shekhar Jha, J)

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