

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3045 of 2025

Arising Out of PS. Case No.-32 Year-2024 Thana- SHAMPUR District- Munger

Sunil Pandit Son of Late Sahdev Pandit Resident of Village - Majhgai, P.S.-
Shampur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra with Mr. Atul Kumar and Mr. Dharmdev Kumar, Advocates
For the Opposite Party/s	:	Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-01-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Shampur P.S. Case No. 32 of 2024, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325 and 307 of the Indian Penal Code.

3. Allegedly on the fateful day, while the informant was going along with his father in his farm, in the meantime, all the FIR named accused persons, including the petitioner, armed with *lathi*, *danda* and rod surrounded them. It is specifically alleged that co-accused Ghanshyam Pandit by wrapping a *gamcha* in the neck of the father of the informant dragged and knocked him whereupon co-accused Rupesh Kumar has assaulted the father of the informant by means of a *lathi* over his



head, due to which he sustained serious injuries. There is further omnibus nature of allegation against all the accused persons.

4. Learned Advocate for the petitioner contended that in fact on account of land dispute, both the parties have entered into a free-fight resulting into case and counter case, being Shampur P.S. Case No. 34 of 2024, instituted by the wife of the petitioner against the informant and others. The allegation levelled against the co-accused persons of causing *lathi* blow over the head does not corroborate by the injury report, in as much as, no injury over the head of the informant has been found and thus belies the prosecution case. Be that as it may, there is no specific allegation against the petitioner of causing any overt act; moreover co-accused persons against whom there was specific allegation, they have been allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 81250 of 2024 vide order dated 04.12.2024.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the factum of case and counter case, coupled with the injury report and the fact that the accused persons having similar



allegation have been allowed the privilege of anticipatory bail, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Shampur P.S. Case No. 32 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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