

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2564 of 2025

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

Sakichand Pandit @ Sakichandra Pandit Son of Balmiki Pandit @ Valmiki
Pandit Resident of Village- Singarpur Bichhwey, P.S.- Kiul, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siyaram Shahi, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 16-05-2025 Heard Siyaram Shahi, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Kiul P.S. Case No. 68 of 2024 for the offence punishable under Sections 126, 115, 109, 109(1), 352, 3(5) of B.N.S. lodged on 02.08.2024 by the informant, Krishnandan 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 it was minor fight between children in which elders came in, scuffle took place in which injuries happened for which case and counter case are there. The petitioner has already suffered by being in custody since 10.08.2024. Last submission is that the petitioner has no criminal antecedent.

5. Learned APP opposes the prayer stating that allegation of assault is on this petitioner.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, earlier the bail application was rejected in Cr. Misc. No. 74144 of 2024 on 22.10.2024 has remained in custody for around nine months, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Kiul P.S. Case No.



68 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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