

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7245 of 2025

Arising Out of PS. Case No.-13 Year-2024 Thana- Kharagpur District- Munger

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1. Chandan Kumar @ Chandan Pandit Son of Ramji Pandit R/O-Village- Majhgay, P.S.- Kharagpur , (Shampur), District- Munger
 2. Sunil Pandit Son of Late Sahdev Pandit R/O-Village- Majhgay, P.S.- Kharagpur , (Shampur), District- Munger

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-05-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Kharagpur P.S. Case No. 13 / 2024 dated 12.01.2024 registered under Sections 341, 323, 147, 379, 427, 307, 504, 506 of the I.P.C.

3. As per the first information report lodged by the informant Kapil Pandit is that on 09.01.2024 in the morning at about 7:00 A.M. while his cousin brother namely Sonu Kumar was going on his motorcycle having paddy to prepare 'chura' and the moment he reached near the house of Chandan Pandit (petitioner no. 1) due to previous enmity the petitioner no. 1 armed with iron rod arrived and stopped the motorcycle. In the



meanwhile Sunil Pandit (petitioner no. 2) armed with iron rod also came and both of them assaulted Sonu Kumar on his head and other parts of the body due to which he sustained head injury and his left leg and right hand was fractured and he fell on the ground. It has further been alleged that when the informant ran for his rescue, Santosh Pandit, Manoj Pandit along with other co-accused persons named in the F.I.R. armed with iron rod started abusing and assaulting the informant and Sonu Kumar.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to previous dispute. Prior to the present occurrence in the year 2022 Nathnagar P.S. Case No. 243 / 2022 was lodged by Sarita Devi for kidnapping of daughter of Gautam Pandit against Sonu Kumar (Sonu Pandit) and other accused persons. Both the parties are neighbours and the side of the informant was pressurizing the petitioners to enter into compromise in Nathnagar P.S. Case No. 243 / 2022. On the date of occurrence both the parties entered into free fight and a counter case has been lodged by Sarita Devi against the informant and others and husband of Sarita Devi namely Gautam Pandit has also sustained injury which is grievous in nature and other family



members of the petitioners have also sustained injury. He further submits that criminal antecedent of the petitioners have either been lodged by the informant himself or by his family members due to previous dispute.

5. On the other hand, learned counsel for the state submits that there is specific allegation upon the petitioners who assaulted Sonu Pandit with iron rod and the injury sustained by Sonu Pandit is grievous in nature as described in the injury report annexed with the case diary caused by hard and blunt substance.

6. I have heard learned counsel for the parties and gone through the material on record. On perusal of the injury report of the victim it is apparent that injury is grievous in nature due to fracture of patella however the injury sustained by the victim near patella is not on the vital part of the body, the side of the petitioners have also sustained injury, there is case and counter case between them due to previous enmity and both the parties are neighbours, accordingly, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Munger in connection with Kharagpur P.S. Case No. 13 / 2024 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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