

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11829 of 2025

Arising Out of PS. Case No.-360 Year-2024 Thana- SAHPUR District- Patna

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1. Vikash Kumar Son of Ram Sahay Pandit Resident of Village- Nargadda (Nahar Par), P.S.- Shahpur, District- Patna.
 2. Akash Kumar Son of Ram Sahay Pandit Resident of Village- Nargadda (Nahar Par), P.S.- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saifur Rahman, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-04-2025

1. Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The both accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Shahpur P.S. Case No. 360 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 308(3), 109, 303(2), 352, 351(2) & 3(5) of the B.N.S.

3. The allegation against both above named petitioners is to assault informant alongwith other co-accused persons/family members, for the reasons, when he refused to give donation for “Laxmi Puja”.



4. Learned counsel appearing on behalf of the petitioners submitted that the allegation *qua* assault is available against co-accused Ram Sahai Pandit, who is the father of petitioners. It is submitted that the allegation of physical assault is not available against both petitioners and, moreover, the matter now appears compromised between the parties. It is further pointed that during the course of occurrence, the informant received only single injury caused by co-accused Ram Sahai Pandit, who is the father of petitioners, where injury found upon informant was simple in nature upon his medical examination. Injury was not said to be repeated or grievous, *prima facie* negating that the petitioners were under intention to cause the death of the informant. While concluding the argument, it is submitted that both petitioners are of clean antecedents and they have been implicated with present case only for the reason that they are the son of main co-accused, Ram Sahai Pandit, who is now on regular bail.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of facial perusal of FIR, which suggest that thrust of allegation appears available against co-accused Ram Sahai Pandit, who is the father of petitioners and, moreover, the



matter said to be compromised between the parties and also by taking note of nature of injury as alleged to be caused during the occurrence upon informant, where both petitioners are said to be a man of clean antecedents, accordingly, both above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Danapur/concerned Court, where the case is pending in connection with Shahpur P.S. Case No. 360 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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