

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13511 of 2025

Arising Out of PS. Case No.-300 Year-2024 Thana- BARAULI District- Gopalganj

1. Ram Kumar Pandey @ Harendra Pandey Son of Ramekbal Pandey
 2. Arun Pandey Son of Ram Kumar Pandey @ Harendra Pandey
 3. Barun Pandey @ Shiv Prakash Pandey Son of Ram Kumar Pandey @ Harendra Pandey.
- All are Resident of Village - Sarafra, P.S. - Barauli, District -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-03-2025 Heard Mr.Raghav Prasad, learned counsel for the petitioners, learned counsel for the informant and Mr.Mukesh Kumar Singh,learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Barauli P.S.Case No.300 of 2024, FIR dated 11.11.2024 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109(1), 118(1), 118(2), 351(2),351(3),303(2),3(5) of B.N.S.Act, 2023.

3. The prosecution story in brief is that on 11.11.2024 at 07.00 A.M. in morning the Informant's brother namely Ram Kumar Pandey, Arun Pandey and Varun Pandey have dropped bricks on the door of their house and they were going to



construct house. The Informant tried to stop them and said that partition of land is due and after partition you may go for construction. They became angry and assaulted the informant with rod, lathi and Pawa of Chauki. When his wife came to rescue him she was also assaulted by all and they also abused her. Arun Pandey assaulted the Informant and snatched golden chain and mobile from the Informant.

4. Learned counsel for the petitioners submits that petitioner Nos.1 and 2 carry one more case other than the present one and they are on bail in the said case and petitioner No.3 has clean antecedent and they have falsely been implicated in the present case due to admitted land dispute between the parties. From a bare perusal of the FIR it appears that although there is specific allegation against the petitioners that they assaulted to the informant and his family members, although informant is brother of petitioner No.1 and the specific allegation against the petitioners that they assaulted to the informant but injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance and apart from that all the injuries inflicted upon the injured person is simple in nature.

5. Learned counsel for the informant and learned



A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, due to admitted land dispute, the present occurrence had taken place and injury inflicted upon the injured person is simple in nature, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gopalganj or any other appropriate court in connection with Barauli P.S. Case No.300 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

