

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12428 of 2025

Arising Out of PS. Case No.-138 Year-2024 Thana- BIND District- Nalanda

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1. Bihari Pandey @ Vihari Pandey @ Vikram Pandey Son of Pramod Pandey
Resident of Village-Madan Chak, P.S.- Bind, District- Nalanda
 2. Golu Pandey @ Vikrant Pandey @ Bikrant Pandey Son of Late Ranjay
Pandey Resident of Village-Madan Chak, P.S.- Bind, District- Nalanda
 3. Pramod Pandey Son of Ram Pravesh Pandey @ Rampravesh Pandey
Resident of Village-Madan Chak, P.S.- Bind, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No. 13, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

- 3 13-05-2025 Learned counsel for the petitioners at the outset, submit that during the pendency of the present anticipatory bail application, the petitioner no.1, Bihari Pandey @ Vihari Pandey @ Vikram Pandey stands arrested and as such he may be permitted to withdraw against the petitioner no.1.
2. Accordingly, the anticipatory bail application against the petitioner no.1 stands rejected.
3. Heard the parties.
4. The petitioner namely petitioner no.2 Golu Pandey @ Vikrant Pandey @ Bikrant Pandey and petitioner no.3 are apprehending arrest in connection with Bind P.S. Case No. 138



of 2024 instituted under Sections 191(2), 190, 329(4), 352, 125(a), 324(4), 351(2), 351(3) of the Bharatiya Nyaya Sanhita and 27 of the Arms Act lodged on 19.10.2024 by the informant, Dharmendra Pandey.

5. As per the prosecution story, the informant alleged that when he was sleeping after having dinner, the accused persons came and tried to hit the gate and opened fire. As the Police was called, they retreated. This led to the FIR.

6. Learned counsel for the petitioner submits that subsequently they bettered their FIR and have also alleged assault causing injury which in any case have been found to be simple in nature. Further, since they have criminal antecedent and allegation has come, they intend to visit the Bind Police Station on weekend for cleaning the campus for two hours (Saturday & Sunday) on the time fixed by the S.H.O. and after four weeks intend further to plant samplings in the campus of the said Police Station, Nalanda, if granted relief.

7. Learned APP opposes the prayer submitting that the they have criminal antecedent.

8. Considering the submissions of the parties, at the first instance, this Court was not inclined to extend them the privilege of anticipatory bail. However, considering the fact



that subsequently injuries have been found to be simple in nature, they intend to correct themselves by visiting the Bind Police Station to clean the campus for two hours as recorded above and plant samplings, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

9. Let the petitioner namely petitioner no.2 Golu Pandey @ Vikrant Pandey @ Bikrant Pandey and petitioner no.3 on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Bind P.S. Case No. 138 of 2024 to the satisfaction of learned Judicial Magistrate-III, Nalanda at Biharsharif subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner namely petitioner no.2 Golu Pandey @ Vikrant Pandey @ Bikrant Pandey and petitioner no.3 who shall provide official document to show his/her bona fide;

(ii) the petitioner namely petitioner no.2 Golu Pandey @ Vikrant Pandey @ Bikrant Pandey and petitioner no.3 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 namely petitioner no.2 Golu Pandey @ Vikrant Pandey @ Bikrant Pandey and petitioner no.3 shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner namely petitioner no.2 Golu Pandey @ Vikrant Pandey @ Bikrant Pandey and petitioner no.3 shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner namely petitioner no.2 Golu Pandey @ Vikrant Pandey @ Bikrant Pandey and petitioner no.3 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 namely petitioner no.2 Golu Pandey @ Vikrant Pandey @ Bikrant Pandey and petitioner no.3 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.

10. The two petitioners shall be visiting the Bind



Police Station, Nalanda every Saturday/Sunday for two hours (for four weeks) to clean the campus and at the end of the fourth week shall plant samplings in the campus. The S.H.O., Bind P.S. shall send report to Mr. Jitendra Kumar Singh, learned APP after four weeks. Both Mr. J.K. Singh, learned APP and the petitioners’ counsel shall provide report/photos of the work done by the petitioners.

11. List this case under the heading ‘To Be mentioned’ on 25.07.2025 to peruse the report.

12. Let the name of Mr. Jitendra Kumar Singh, learned APP publish in the cause list.

(Rajiv Roy, J)

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