

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22172 of 2025

Arising Out of PS. Case No.-300 Year-2024 Thana- CHENARI District- Rohtas

1. Rajbansh Pandey S/o- Aadit Pandey Village- Malahar PS-Chenari District- Rohtas
2. Lav Pandey S/o- Rajbansh Pandey Village- Malahar PS-Chenari District- Rohtas
3. Kush Pandey S/o- Rajbansh Pandey Village- Malahar PS-Chenari District- Rohtas
4. Chandan Pandey S/o- Rajbansh Pandey Village- Malahar PS-Chenari District- Rohtas
5. Raj Kumari W/o- Surendra Kumar Mishra, D/o- Rajbansh Pandey R/o- Malahar P.S- Chenari Dist- Rohtas, At present R/o Mohalla- Aanand Nagar PS- Ara Town District-Bhojpur
6. Ranjana Devi @ Ranjan Kumari W/o- Satyendra Kumar Tiwari resident of Village- Rajgarh PS-Ahraura District- Mirzapur (UP)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-07-2025 Heard Mr. Mithlesh Kumar, learned counsel for the petitioners and Mr. Umeshanand Pandit, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Chenari P.S. Case No. 300 of 2024, F.I.R. dated 07.09.2024 registered for the offences punishable under Sections 126(2), 115(2), 74, 303(2), 351(2), 352, 3(5) of the B.N.S.

3. Allegation against the petitioners is that they along



with other co-accused persons have assaulted the informant and his family members due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioner nos. 5 and 6 having clean antecedent, petitioner nos. 1, 2 and 4 carries two more cases other than the present one and petitioner no. 3 carries one more case other than the present one and the petitioner nos. 1, 2, 3 and 4 are on bail in the pending matters. Learned counsel for the petitioners submits that the present case is counter blast of Chenari P.S. Case No. 299 of 2024 filed by the wife of petitioner no. 2 against the informant and his family members and in the Chenari P.S. Case No. 299 of 2024, the informant of the present case has assaulted the family members of the petitioners and from perusal of the present F.I.R. which suggests that the date of occurrence as alleged in the F.I.R. is 05.09.2024 but the present F.I.R. was instituted on 07.09.2024 by the informant after delay of about three days without giving any explanation of delay only to save the skin from Chenari P.S. Case No. 299 of 2024 which was filed by the wife of petitioner no. 2. Learned counsel for the petitioners further submits that the allegation as alleged in the F.I.R. is false and fabricated and it appears from the F.I.R. itself that due to some land dispute, the present occurrence had taken place and



there is case and counter case between the parties and although some of the family members have received injuries but the injury report of the informant suggests that the injury is simple in nature except the injury report of Gupteshwar Pandey but it appears from the F.I.R. that there is no specific allegation against the petitioners rather there is general and omnibus allegation against the petitioners that all the accused persons have assaulted to Gupteshwar Pandey.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that there is case and counter case between the parties and due to admitted land dispute the present occurrence had taken place, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sasaram, Rohtas in connection with Chenari 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 :-

(1) 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.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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)

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