

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12083 of 2025

Arising Out of PS. Case No.-259 Year-2024 Thana- KOTWA District- East Champaran

Ram Kripal Pandey S/O Late Ram Bilash Pandey @ Rambilas Pandey
Resident of Village- Bangara, Police Station- Kotwa, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

WITH
CRIMINAL MISCELLANEOUS No. 19246 of 2025

Arising Out of PS. Case No.-259 Year-2024 Thana- KOTWA District- East Champaran

1. Birendra Pandey S/o Late Madho Pandey Resident of Village- Bangara,
Police Station- Kotwa, District- East Champaran
2. Bishwambhar Pandey S/o Late Uma Pandey Resident of Village- Bangara,
Police Station- Kotwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12083 of 2025)

For the Petitioner/s : Mr. N.K. Agrawal, Senior Advocate
Mr. Mani Bhushan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 19246 of 2025)

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

For the Informant : Mr. Anil Kumar Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 07-05-2025 As both these bail applications arise out of from the

same police station case number, hence, with consent of parties,

they are being heard together and disposed of by this common

order.



2. Heard Mr. N.K. Agrawal learned senior counsel for the petitioner of Cr. Misc. No.12083 of 2025, Mr. Karandeep Kumar, learned counsel for the petitioners of Cr. Misc. No.19246 of 2025, Mr. Anil Kumar Singh, learned counsel for the informant and learned A.P.P. for the State.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191 (2), 190, 109 (1), 103 (1) and 118 (1) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

4. From perusal of the first information report, it would be evident that the F.I.R. is against eight named and ten unknown persons and they came variously armed. The allegation against petitioner, Ram Kripal Pandey (Cr. Misc. No.12083 of 2025) is that upon his order, the accused persons, Suresh Pandey, Rajan Pandey and Arun Pandey got prepared with their arms and when one Manish Mishra tried to intervene in the matter, accused Suresh Pandey fired upon him which hit him on his chest due to which he died. There are other allegations on other persons. The allegation against petitioner no.1, Birendra Pandey (Cr. Misc. No.19246 of 2025) is of assaulting one Ripuranjan by means of rod on his head and allegation against petitioner no.2, Bishwambhar Pandey (Cr. Misc. No.19246 of 2025) is of



assaulting the informant by means of iron rod on his head.

5. It is submitted by learned senior counsel for the petitioner, Ram Kripal Pandey that the allegation against him is general and omnibus in nature. There is specific allegation against co-accused, Suresh Pandey of having opened fire on Manish Mishra, who was not one of the persons related to the informant. It is further submitted that the entire dispute has been emerged out of the land dispute within *Pattidari* and next door neighbours. The attention of this Court has also been drawn to Kotwa P.S. Case No.254 of 2024 dated 18.09.2024, which was filed by the nephew of the petitioner no.1 of Cr. Misc. No.19246 of 2025, wherein it is stated that the petitioner no.1, Birendra Pandey was brutally assaulted by the side of the informant. Further submission is that one more case has been lodged, bearing Kotwa P.S. Case No.260 of 2024, by the father of the deceased, Manish Mishra. In the said case, these petitioners have not been named. Learned senior counsel further submits that the petitioner, Ram Kripal Pandey is a senior citizen and he is suffering from serious ailments with regard to kidney and his medical treatment has been brought on record by way of supplementary affidavit. The allegations against petitioners of Cr. Misc. No. 19246 of 2025 is of



assaulting one Ripuranjan and the informant but during course of investigation no injury report has been brought on record of these two persons.

6. Learned APP for the State and learned counsel for the informant opposed the prayer for bail on the grounds of allegation made in the F.I.R.

7. Taking into consideration the entire facts and circumstances of the case as well as the fact that the petitioners have no criminal antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned 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 the learned lower Court where the case is pending/successor Court in connection with Kotwa P.S. Case No.259 of 2024, subject to the condition as laid down under Section 482 (2) Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

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