

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25239 of 2025

Arising Out of PS. Case No.-384 Year-2024 Thana- NASRIGANJ District- Rohtas

Kunal Kumar Pandey S/o Ashok Pandey @ Late Ashok Kumar Pandey R/o
Village- Dhobdiha, P.S.- Nasriganj, District- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shatabdi Sinha, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-05-2025 Heard Ms. Shatabdi Sinha, learned counsel for the
petitioner and the State.

2. The petitioner apprehends his arrest in connection with Nasriganj P.S. Case No. 384 of 2024 for the offence registered under sections 109, 3(5), 126(2), 115(2), 352 of B.N.S. lodged on 10.11.2024 by the informant, Guddu Pandey.

3. As per the prosecution story, the informant alleged that due to dispute of drainage, the petitioner and his father came and assaulted which caused injury to the informant and his father who got five stitches on his head. This led to the FIR.

4. Learned Counsel for the petitioner submits that actually scuffle took place in which the informant's side is/was aggressor and the assault led to the killing of his father and lodging of the Nasriganj P.S. Case No. 383 of 2024 which



followed the counter case (Nasriganj P.S. Case No. 384 of 2024) in which he is an accused. The last submission is that the injury has been found to be simple in nature and he do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that allegation of assault is against this petitioner which led to five stitches to the informant's father.

6. Considering the aforesaid facts as also that in the counter case, there is killing of the father of the petitioner, the injury have been found to be simple in nature, he has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Sasaram (Rohtas) in connection with Nasriganj P.S. Case No. 384 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner 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 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;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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