

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23302 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- BRAHMPUR District- Buxar

1. Rajendra Pandey S/o Late Ramdeo Pandey Resident of Village- Devkuli, P.S.- Brahampur, District-Buxar
2. Ranjan Pandey @ Kaju Pandey S/o Rajendra Pandey R/o Vill- Devkuli, P.S.- Brahampur, Distt- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-07-2025 Heard Dr. Kamal Deo Sharma, learned counsel for the petitioners and Mr. Ram Priya Sharan Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Brahampur P.S. Case No.26 of 2025 for the offence under Sections 126(2), 115(2), 351(2), 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, lodged on 18.02.2025 by the informant, Akhilesh Ojha.

3. As per the prosecution story, the informant alleged that Sanjay Pandey, Rajendra Pandey and his son Ranjan Pandey



@ Kaju Pandey attacked the informant and his family members and in the process, Ranjan Pandey @ Kaju Pandey assaulted the informant, Akhilesh Ojha as also Abhayjeet Ojha by *kulhadi*. Later, the allegation against all of them is of assaulting Akhilesh Ojha and Abhayjeet Ojha, causing injuries. They were then taken to primary health center and were later referred to Sadar Hospital, Buxar. This led to the F.I.R.

4. Learned counsel for the petitioners submits that there is case and counter case. Both sides have suffered injuries and further with the help of case dairy as also the learned Sessions Judge's order, wanted to show that the injuries have been found to be simple in nature.

5. Learned APP for the State opposes the prayer and has taken this Court to the injury of Abhayjeet Ojha has been found to be grievous in nature.

6. Taking into account the aforesaid facts as also the assault role that has been assigned to petitioner No.2 Ranjan Pandey @ Kaju Pandey, his anticipatory bail application stands rejected.

7. So far as the father, Rajendra Pandey is concerned, the omnibus allegation of assault is against him, no specific role has been made as also the fact that the main injury to Abhayjeet has been inflicted by Ranjan Pandey @ Kaju Pandey, this Court



is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioners be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Buxar, in connection with Brahampur P.S. Case No.26 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023 as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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;

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

(Rajiv Roy, J)

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