

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24642 of 2025

Arising Out of PS. Case No.-318 Year-2019 Thana- SURYAGARHA District- Lakhisarai

Lalan Pandit S/o Sri Fakira Pandit R/o Village- Ghanauri Manpura, P.S.-
Surajgarha, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Ray, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Surajgarha P.S. Case No. 318 of 2019 registered for the offences punishable under Sections 341, 323, 354B, 504, 506 and 379/34 of the Indian Penal Code albeit charge-sheet has been submitted under Sections 341, 323, 354, 504 and 506 of the I.P.C. corresponding to Sections 126(2), 115(2), 74, 351 and 352 of the B.N.S., 2023.

3. The prosecution case is based on a complaint with allegation that on 01.05.2019 while the informant was returning to his home, in the meantime, he saw that all the accused persons were engaged in assaulting one Ashok Yadav. When the informant and others



came there and tried to intervene them, on the exhortation made by co-accused Rajesh Pandit, this petitioner along with three other misbehaved with the wife of Kishori Yadav and also pulled her *Saree*. It is further alleged that co-accused Bhasho Pandit and Rekha Devi also snatched a golden earring. There are further allegation against other accused persons.

4. Learned counsel for the petitioner contended that the alleged occurrence took place on 01.05.2019 but the complaint case came to be filed on 04.05.2019, which was later on sent to the concerned police station and accordingly Surajgarha P.S. Case No.318 of 2019 came to be registered on 06.12.2019. It is further contended that since the petitioner was not present on the alleged date of occurrence and he had been working as a labourer in different cities, he was not knowing about implication of his name in the present crime. Moreover, for the first time, summons were ordered to be issued on 12.07.2022 and later on bailable warrant on 15.09.2022 and finally non-bailable warrant of arrest on 17.01.2024. It is also contended that out of eight accused persons, seven persons were granted bail and since the petitioner was not knowing about existence of the present case, he could not approach the Court. The FIR has been instituted on the premise of fixing of an



electric pole between the parties. Be that as it may, the petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceedings of the Court.

5. Learned counsel for the State vehemently opposed the bail application and submitted that the case is of 2019 and the petitioner was evading from law; apart from there is specific allegation.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the genesis of the occurrence, coupled with the submissions afore-noted and the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Lakhisarai in connection with Surajgarha P.S. Case No. 318 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with following conditions:

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) The Court below shall accept the bail bond(s) of



the petitioner in the event no process under Section 82 and 83
CrPC is issued.

(Harish Kumar, J)

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