

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29191 of 2025

Arising Out of PS. Case No.-270 Year-2024 Thana- KESARIA District- East Champaran

Bharat Pandit S/o Darshan Pandit R/o Ganeshpur, P.S.- Kesariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 29345 of 2025

Arising Out of PS. Case No.-270 Year-2024 Thana- KESARIA District- East Champaran

Sukhlal Pandit Son of Late Lachuman Pandit R/O Village- Ganeshpur, P.S.- Kesaria, Distt- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 29191 of 2025)

For the Petitioner/s : Mr.Vishal Prasad, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 29345 of 2025)

For the Petitioner/s : Mr.Dharmendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. At the very outset, learned counsel for the petitioners is permitted to make the necessary correction in the prayer portion of the bail petition in Cr. Misc. No. 29191 of 2025.

3. Since both applications arise from the same P.S. case number, they have been heard together and are being



disposed of by this common order.

4. The petitioners seek bail in connection with Kesariya P. S. Case No. 270 of 2024, dated 18-08-2024, instituted for offences punishable under Sections 189(2), 126(2), 115(2), 118(1), 109, 103(1), 76, 352, 351(2) and 190 of the Bharatiya Nyaya Sanhita, 2023.

5. Allegation against the petitioners and the other accused persons named in the FIR is that they assaulted the informant's husband with a spade, sword, and *farsa*, as a result of which, he sustained injuries and subsequently succumbed during the course of treatment.

6. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is submitted that there is no specific allegation against the petitioners; rather, the accusations made are general and omnibus in nature. It is further submitted that the case of the prosecution is falsified by the postmortem report, which reveals that the deceased sustained only a single injury on his head. It is further submitted that the occurrence took place on 26.07.2024, but the FIR was lodged much later, on 18.08.2024, after an unexplained delay of 23 days. Learned counsel also submits that two similarly situated co-accused



persons, namely Uma Shankar Pandit and Ranju Devi, have already been granted bail by a Co-ordinate Bench of this Court vide order dated 07.05.2025 passed in Cr. Misc. No. 28663 of 2025. It is next submitted that the petitioner in Cr. Misc. No. 29191 of 2025 has been in custody since 13.11.2024, whereas the petitioner in Cr. Misc. No. 29345 of 2025 has been in custody since 22.01.2025. Both petitioners have no criminal antecedents. The charge sheet has already been submitted in the case.

7. Learned Additional Public Prosecutor (APP) for the State has opposed the prayer for bail.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners in both cases be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st class/CJM/ concerned court below, East Champaran, Motihari, in connection with Kesariya P. S. Case No. 270 of 2024 .

9. The applications stand allowed.

(Khatim Reza, J)

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