

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27257 of 2025

Arising Out of PS. Case No.-452 Year-2024 Thana- HUSSAINGANJ District- Siwan

Harendra Pandit @ Harendra Kumar Pandit @ Harendra Kumar S/O Ram
Lochan Pandit Resident of village- Hasanpura, P.S.- MH Nagar, Dist.- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-04-2025 Heard Ms. Kumari Anupam, learned counsel for the

petitioner and Mr. Ram Naresh Ray, learned Additional Public

Prosecutor for the State.

2. The petitioners is apprehending his arrest in connection with Hussainganj P.S. Case No. 452 of 2024, F.I.R. dated 18.12.2024 for the offences punishable under Sections 126(2), 115(2), 109(1), 352, 351(2), 3(5) of Bharatiya Nayay Sanhita, 2023.

3. According to prosecution case, the informant alleged that on 17.12.2024, when he told the petitioner to vacate the land which was decreed in his favour, the petitioner along with other accused persons assaulted him.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case due to admitted land dispute and there is case and counter case between the parties and both parties are agnates to each other. It appears from the FIR that the petitioner assaulted the informant by means of bamboo and he received injury but the injury report of the informant suggest that injury is simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and there is case and counter case between the parties and injury received by the injured person is simple in nature, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st class, Siwan in connection with Hussainganj P.S. Case No. 452 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

- i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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