

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31261 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- GORAU District- Vaishali

Sanoj Pandit @ Sanoj Kumar S/o- Jugeshwar Pandit @ Yugeshwar Pandit
Village- Sahpur Gaush Manjiya PS- Goraul (Kathara OP), Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 31481 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- GORAU District- Vaishali

1. Lalbahadur Pandit
2. Rajya Pandit @ Raja Pandit
3. Virju Pandit
All are S/o- S/o- Late Visheshwar Pandit
4. Virchandra Pandit S/o- Yugeshwar Pandit
All are R/o Village- Sahpur Gaush Manjiya PS- Goraul (Kathara O P), Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 31261 of 2025)
For the Petitioner/s : Mr.Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 31481 of 2025)
For the Petitioner/s : Mr.Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2025 Heard Mr.Mritunjay Kumar, learned counsel for the

petitioners and Mr.Shantanu Kumar, learned Additional Public

Prosecutor for the State in both the applications.



2. The petitioners are apprehending their arrest in connection with Goraul (Kathara O.P.) P.S. Case No.83 of 2025, FIR dated 20.02.2025 registered for the offences punishable under Sections 191(2)/191(3)/190/103 of BNS.

3. As per prosecution case, there is a direct allegation against the accused Sontosh to blow sword on the head of the informant's husband but no such injury mentioned in the postmortem report. Further it is alleged that other co-accused persons assaulted with Lathi, Danda and crushed with Rotavetor of the tractor. FIR named accused male persons who are alleged to be participated in the occurrence and likely to drive the abovesaid tractor which is alleged to be used causing the death of the victim.

4. Learned counsel for the petitioners submits that from a bare perusal of the FIR it appears that due to admitted land dispute the present occurrence had taken place and the petitioners have falsely been implicated in the present case. Although the petitioners are named in the FIR but from a bare perusal of the FIR it appears that the specific allegation of assault is attributed against co-accused person, namely, Santosh and in fact the informant is not the eye witness of the alleged occurrence.



5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners and submits that petitioner, namely, Sanoj Pandit @ Sanoj Kumar carries three more cases other than the present one but fairly submits that he is on bail in all the cases, as mentioned in para-3 of the bail petition. Petitioners, namely, Lalbahadur Pandit, Rajya Pandit @ Raja Pandit, Virju Pandit and Virchandra Pandit carry two more cases other than the present one but fairly submits that the petitioners are on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, due to admitted land dispute the present occurrence had taken place and there is no specific allegation against the petitioners and specific allegation of assault is attributed against co-accused person, namely, Santosh, let the petitioners, above named, in the event of their 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 learned A.C.J.M.-1, Vaishali at Hajipur in connection with Goraul (Kathara O.P.) P.S. Case No.83 of 2025, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds 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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