

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36300 of 2025

Arising Out of PS. Case No.-184 Year-2024 Thana- LAKHAURA District- East Champaran

1. Dashrath Pandit S/o- Fekan Pandit Resident of village- Jhitkahiya Ps- Lakhaura District- East Champaran
2. Sheogopal Pandit S/o- Fekan Pandit Resident of village- Jhitkahiya Ps- Lakhaura District- East Champaran
3. Narad Pandit @ Narad Kumar Pandit S/o- Ramprakash Pandit Resident of village- Jhitkahiya Ps- Lakhaura District- East Champaran
4. Govind Pandit @ Govind Kumar S/o- Ramprakash Pandit Resident of village- Jhitkahiya Ps- Lakhaura District- East Champaran
5. Ramprakash Pandit S/o- Dhrikshan Pandit Resident of village- Jhitkahiya Ps- Lakhaura District- East Champaran
6. Sumitra Devi W/o- Fekan Pandit Resident of village- Jhitkahiya Ps- Lakhaura District- East Champaran
7. Rajkumari Devi W/o- Ramprakash Pandit Resident of village- Jhitkahiya Ps- Lakhaura District- East Champaran
8. Krishna Devi W/o- Dashrath Pandit Resident of village- Jhitkahiya Ps- Lakhaura District- East Champaran
9. Sarita Devi @ Sarita Kumari W/o- Dashrath Pandit Resident of village- Jhitkahiya Ps- Lakhaura District- East Champaran
10. Lalti Devi @ Surmila Devi W/o- Sheogopal Pandit Resident of village- Jhitkahiya PS- Lakhaura District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Dhannjay Kumar No.2, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-07-2025 Heard Mr. Abhishek Kumar, learned counsel for the

petitioners, Mr. Anant Kumar 1, learned Additional Public

Prosecutor for the State and Mr. Dhannjay Kumar No.2, learned

counsel for the Informant.



2. The petitioners are apprehending their arrest in connection with Lakhaura P.S. Case No. 184 of 2024, F.I.R. dated 21.11.2024 for the offences punishable under Sections 126(2), 115(2), 303(2), 109(1), 76, 351(2), 3(5) of Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that on 20.11.2024, when her son went to his field, he saw that the petitioners were trying to steal his motor. Upon objection, the petitioners assaulted his son. When the informant came to rescue, the petitioners assaulted him also.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. Informant and petitioners are agnates to each other and there is land dispute between the parties and there is case and counter case also. Although there is specific allegation against the petitioners that they assaulted to the informant but it appears that both sides have received injury and injury inflicted upon the injured persons are simple in nature.

5. The learned Additional Public Prosecutor and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioners on the ground that petitioners are named in the FIR and apart from that they have assaulted to



the informant and her family members. He further submits that petitioner nos. 3, 5, 7, 9 & 10 have clean antecedent, petitioner nos.1,2,6,8 & 4 have two criminal antecedents and out of two cases, in one case the petitioners have been granted the benefit of 41(1) and in second case the petitioners have been granted bail.

6. Considering the aforesaid facts and circumstances, let the petitioners, 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Lakhaura P.S. Case No. 184 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. 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 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 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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