

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42586 of 2025

Arising Out of PS. Case No.-186 Year-2025 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Aatma Pandey @ Kalidas Pandey S/O Late Chandu Pandey R/o Village - Panda Toli Chainpur, P.S - Chainpur, District - Kaimur, Bhabhua
2. Sanu Pandey @ Vivek Kumar Pandey S/O Aatma Pandey @ Kalidas Pandey R/o Village - Panda Toli Chainpur, P.S - Chainpur, District - Kaimur, Bhabhua
3. Shivam Pandey @ Shivam Kumar Pandey S/O Aatma Pandey @ Kalidas Pandey R/o Village - Panda Toli Chainpur, P.S - Chainpur, District - Kaimur, Bhabhua
4. Sundram Pandey @ Sundram Kumar Pandey S/O Aatma Pandey @ Kalidas Pandey R/o Village - Panda Toli Chainpur, P.S - Chainpur, District - Kaimur, Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Sharma, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Chainpur P.S. Case No. 186/2025 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 352/3(5) of the B.N.S.S.

3. As per prosecution case, there is allegation against the petitioners who are said to have assaulted the informant and his son as a result of which both have sustained



head injury.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. The petitioners bear no criminal antecedent. Injury of the informant is simple in nature as mentioned in para 9 of the bail petition. He orally submits that injury of informant's son is simple in nature and hence, Section 109 of B.N.S.S. is not made out against the petitioners and other sections are bailable Sections of B.N.S.S. Allegations are general and omnibus in nature against the petitioners and there is no specific allegation against the them. He further submits that the informant is neighbour of the petitioners and the informant's side attacked with *lathi* and *danda* on the head of the petitioner no.1 and his wife description of injury has been mentioned as Annexures-P/2 and P/2A of the bail petition. He orally submits that the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners have assaulted the informant and his son.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, there is no



specific allegation against the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Kaimur (Bhabhua) in connection with Chainpur P.S. Case No. 186/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stand allowed.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Alok Kumar Pandey, J)

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