

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42514 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- SHAMBHUGANJ District- Banka

1. Ashok Pandey @ Ashok Kumar Pandey S/o- Rameshwar Pandey Resident Of Village- Bharatshila, Ps-Shambhuganj, Dist- Banka
2. Rameshwar Pandey S/o- Late Deb Narayan Pandey Resident Of Village- Bharatshila, Ps-Shambhuganj, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in a case instituted for the offence punishable under Sections 126(2), 115(2), 110, 303(2), 352, 351(2), 3(5) of BNSS.

3. prosecution case in nutshell is that on the alleged date and time of occurrence, petitioners along with other co-accused persons entered the house of informant and started abusing. When the informant raised objection, co-accused Pratik Pandey assaulted the informant due to which he



sustained head injuries. It is further alleged that petitioner No. 1, namely, Ashok Pandey @ Ashok Kumar Pandey gave lathi blow on the head of Rajiv Pandey, cousin brother of the informant and snatched golden chain from his possession.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. It is further submitted that the present dispute arose regarding construction of wall. Both parties are neighbours and there is case and counter case between them. From perusal of F.I.R., it is evident that there is no allegation of assault against petitioner No. 2, namely, Rameshwar Pandey and the allegation levelled against petitioner No. 1 is that he assaulted cousin brother of the informant by means of Lathi. From perusal of impugned order, it appears that doctor has kept his opinion reserved regarding injury of the injured.

5. Learned A.P.P. for the State has vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above,



this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from the date of receipt/production of this order and in the event of their arrest or surrender in connection with Shambhuganj P.S. Case no. 15 of 2025, they will be enlarged on 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 learned Chief Judicial Magistrate, Banka, subject to the conditions as laid down under section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS).

(S. B. Pd. Singh, J)

Nirajkrs/-

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