

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46048 of 2025

Arising Out of PS. Case No.-115 Year-2024 Thana- BELHAR District- Banka

1. Bharat Lal Pandit S/O Late Nankeshwar Pandit Resident of Village- Bahjora, P.S.- Belhar, District- Banka.
2. Sarita Devi W/O Bharatlal Pandit Resident of Village- Bahjora, P.S.- Belhar, District- Banka.
3. Mritunjay Kumar Pandit @ Mritunjay Kumar S/O Bharatlal Pandit Resident of Village- Bahjora, P.S.- Belhar, District- Banka.
4. Anuj Kumar Pandit @ Anuj Kumar S/O Bharatlal Pandit Resident of Village- Bahjora, P.S.- Belhar, District- Banka.
5. Ashutosh Kumar S/O Bharatlal Pandit Resident of Village- Bahjora, P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Najmul Hodda
For the Opposite Party/s : Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard Mr. Md. Najmul Hodda, learned counsel for

the petitioners and Mr. Md. Ataur Rahman, learned APP for the

State.

2.The instant application for anticipatory bail has been

filed by the petitioners apprehending their arrest in connection

with Belhar P.S. Case No. 115 of 2024 instituted for the offence

under Sections 341, 323, 325, 308, 307, 504 read with Section

34 of the Indian Penal Code.

3. The case of the prosecution is that due to land



dispute, all the petitioners abused and assaulted the informant, namely Shiv Shankar Pandit, his father Vikram Pandit, his wife Archana Devi, his mother Pagli Devi, and his sister-in-law Mamta Devi, by means of *Tengari*, *Khanti*, *Rod* and *Lathi*. It is alleged that Ashutosh Kumar gave *Tengari* blow on the head of the informant, and petitioner no. 4 gave *Khanti* blow on the head of the informant's father.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. He also submits that there is also a counter version of this case. It has also been submitted that the police has filed final form against petitioner nos. 4 and 5 but the trial court has taken cognizance against them. He further submits that the injuries which has been sustained by the victims of this case are of simple in nature, caused by hard and blunt substance. He next submits that petitioners side had also received injury in the said occurrence.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners and submits that the petitioners are having criminal antecedent of one case.

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 today and in the event of their arrest or surrender in connection with Belhar P.S. Case No. 115 of 2024, 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 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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