

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48701 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- BARHARIA District- Siwan

1. Nageshwar Pandey @ Narvadeshwar Pandey @ Nardeshwar Pandey S/O Bharat Pandey Resident of Village- Mahammadpur, P.S. - Barharia, District - Siwan.
2. Kashinath Pandey S/O Bharat Pandey Resident of Village- Mahammadpur, P.S. - Barharia, District - Siwan.
3. Rampravesh Pandey S/O Bharat Pandey Resident of Village- Mahammadpur, P.S. - Barharia, District - Siwan.
4. Bina Devi @ Mina Devi @ Veena Devi W/O Suresh Pandey Resident of Village- Mahammadpur, P.S.- Barharia, District - Siwan.
5. Sara Devi @ Taramati Devi @ Tara Devi W/O Kashinath Pandey Resident of Village- Mahammadpur, P.S. - Barharia, District - Siwan.
6. Nilam Devi W/O Nageshwar Pandey @ Narvadeshwar Pandey @ Nardeshwar Pandey Resident of Village- Mahammadpur, P.S. - Barharia, District - Siwan.
7. Satish Pandey @ Chhatish Pandey S/O Nageshwar Pandey @ Narvadeshwar Pandey @ Nardeshwar Pandey Resident of Village- Mahammadpur, P.S. - Barharia, District - Siwan.
8. Ishwar Pandey S/O Nageshwar Pandey @ Narvadeshwar Pandey @ Nardeshwar Pandey Resident of Village- Mahammadpur, P.S. - Barharia, District - Siwan.
9. Shiwanjan Pandey S/O Sumer Pandey Resident of Village- Mahammadpur, P.S. - Barharia, District - Siwan.
10. Ranjan Pandey @ Ranjan Kumar S/O Sumer Pandey Resident of Village- Mahammadpur, P.S. - Barharia, District - Siwan.
11. Sharawan Pandey @ Shravan Pandey S/O Vijay Pandey Resident of Village- Mahammadpur, P.S. - Barharia, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv
For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard Mr. Bijay Prakash, learned counsel for the
petitioners and Mrs. Suman Kumari Singh, learned APP for the



State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Barharia P.S. Case No. 127 of 2025 instituted for the offence under Sections 126 (2), 115 (2), 118 (1), 109, 303 (2), 352, 351 (2), 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that all the petitioners, being armed with weapon, arrived at the door of the informant and started abusing. It is further alleged that they started assaulting indiscriminately with *lathi*. When the informant objected petitioner no. 11 Sharawan Pandey, he assaulted with sharp cutting weapon on the right hand, due to which, he received a cut injury. It is further alleged that when Binda Devi came to rescue, she was also being assaulted.

4. Learned counsel appearing on behalf of the petitioners has submitted that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. He also submits that there is a counter version of this case and from perusal of the injury report, it will transpire that the nature of injury is simple which is caused by hard and blunt substance. It has also been argued by the learned counsel for the petitioners that the nature of injury does not co-relate the



allegations. Moreover, the petitioners and the informant are neighbours. It has lastly been submitted that a statement has been made in para-3 of this petition that except one the the petitioner no. 08 has one criminal antecedent and others petitioners have got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

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 Barharia P.S. Case No. 127 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 Additional Chief Judicial Magistrate-III, Siwan, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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