

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48831 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- JAMALPUR District- Darbhanga

1. Pawan Pandit @ Paswan Pandit son of Khokhai Pandit @ Pramod Pandit Village-Jhagarua p.s-Jamalpur District-Darbhangha
2. Lakshaman Pandit @ Lakshman Kumar Pandit Son of Khokhai Pandit @ Pramod Pandit Village-Jhagarua p.s-Jamalpur District-Darbhangha
3. Arjun Pandit son of Late Damodar Pandit Village-Jhagarua p.s-Jamalpur District-Darbhangha
4. Khokhai Pandit @ Pramod Pandit son of Late Damodar pandit Village-Jhagarua p.s-Jamalpur District-Darbhangha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Girish Chandra Jha
For the State	:	Mr.Ram Anurag Singh
For the informant	:	Mr. Dhananjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-08-2025 1. Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Jamalpur Police Station Case No. 15 of 2025, dated 06.03.2025, disclosing offences punishable under Sections 191(2)/190/126(2)/115(2)/118(1)/117/110/352/351(2) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 25.02.2025, at about 10 AM, on hearing hulla,



when the informant came out of his house, he saw that the petitioners, along with other co-accused persons, were abusing his father and mother and when the informant, his brother, his son and other family members went in their rescue, petitioner no. 4 assaulted the informant on his head and right hand, by iron rod, causing head and hand injuries, the petitioner no. 1 assaulted the brother of the informant by iron rod on his head, petitioner no. 2 assaulted one Kanhaiya by lathi and petitioner no. 3 assaulted the son of the informant by iron rod on his head, causing head injury.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have not committed any offence in the manner alleged. He further submits that the petitioners have falsely been implicated in this case due to existing land dispute between the parties. He further submits that the niece of the informant was in love with petitioner no. 1 and they got married, due to which tension arose between the parties and the niece of the informant filed a complaint case, bearing C. R. No. 60 of 2025, against the informant and others. A case has been lodged by the petitioner no. 4 against the informant and



others, bearing Jamalpur Police Station Case No. 14 of 2025 and in retaliation of that case, the present case has been lodged.

5. On the other hand, learned Counsel for the informant as well as learned Additional Public Prosecutor for the State vehemently oppose the prayer for anticipatory bail. Learned Counsel for the informant submits that all the accused persons, including the petitioners, assaulted the informant and others, due to which they sustained injuries. He submits that out of the four injured, the informant as well as his brother, Manoj Pandit have sustained grievous injuries; whereas, the son of the informant and one Kanhaiya have received simple injuries.
6. I have heard learned Counsel for the parties concerned and have gone through the materials on record.
7. The informant has received grievous injury on his right wrist, which is fracture of 5th metacarpal, which is non-vital part of the body and is attributable to petitioner no. 4. The brother of the informant, namely, Manoj Pandit, has received grievous injury on his head, which is hairline fracture of bilateral temporo parietal bone near coronal



suture, which is vital part of the body and is attributable to petitioner no. 1. Rest two persons have received simple injuries.

8. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is case and counter case, both parties are co-villagers and the injured persons, namely, Kanhaiya Pandit and Ajay Pandit have received simple injuries and the informant has received grievous injury on the non-vital part of his body, I am inclined to grant the petitioner nos. 2, 3 and 4 privilege of anticipatory bail.
9. This application is, accordingly, allowed, so far as petitioner nos. 2, 3 and 4 are concerned.
10. Let the petitioner nos. 2, 3 and 4, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Biraul, Darbhanga, in connection with Jamalpur Police Station Case No. 15 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik



Suraksha Sanhita, 2023.

11. However, considering the fact that the brother of the informant has received grievous injury on the vital part of his body and is attributable to petitioner no. 1, I am not inclined to grant petitioner no. 1 privilege of anticipatory bail.
12. This application is, accordingly, dismissed, so far as petitioner no. 1 is concerned.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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