

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54372 of 2025

Arising Out of PS. Case No.-147 Year-2025 Thana- NAUTAN District- West Champaran

Kameshwar Pandey Son of Bharat Pandey Resident of Mangalpur Kala, Ward
No.- 3, P.S.- Nautan, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey
For the Informant	:	Mr. Sujeet Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-08-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 352, 351(2) and 3(5) of BNS, 2023 read with Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of five cases and the informant alleges that on account of dispute relating to measurement of land, Kameshwar assaulted Ravikant by *lathi* and iron rod causing fracture of left leg, while Pramod assaulted informant by an iron rod causing injury on shoulder and back and also assaulted



Aman causing injury on head, further on orders of Kameshwar (petitioner) accused Golu fired missing the informant, but then her mother received firearm injury on leg.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the occurrence took place in backdrop of a land dispute. It is thus submitted that since there is dispute in between the parties relating to land, the petitioner came to be implicated. It is also submitted that even presuming what has been alleged is true without admitting then petitioner is alleged to have assaulted Ravikant, but then there is no injury report of Ravikant on record. It is further submitted that Pramod who is alleged to have assaulted the informant by an iron rod causing injury on shoulder and back and Aman causing injury on head, has been granted the privilege of anticipatory bail by an order dated 11.08.2025 in Criminal Miscellaneous No. 51100 of 2025 passed by a learned Coordinate Bench. It is further submitted that case of the petitioner is on a better footing than Pramod, as Pramod is alleged to have assaulted the informant and Aman while petitioner is alleged to have assaulted Ravikant whose



injury report is not on record. It is further submitted that from side of the petitioner also, Nautan P.S. Case No. 148 of 2025 came to be instituted against the informant and his side alleging that petitioner and his side were assaulted. It is further submitted that from the side of the petitioner also, persons have received grievous injury.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner. The learned APP submits that from the submissions made by the learned counsel appearing on behalf of the petitioner, one thing is clear that petitioner was present at the place of occurrence and it is alleged that it was on his order that Golu fired causing firearm injury to the mother of the informant, it is thus submitted that what is not in dispute rather stands admitted, in view of the allegation, that firing was made which hit the mother of the informant. It is also submitted that the presence of the accused persons including the petitioner at the place of occurrence emboldened Golu to fire causing firearm injury or else the petitioner could have stopped Golu from firing.

6. The learned counsel appearing on behalf of the informant submits that petitioner has antecedent of five cases



and in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, which differentiates his case from Pramod.

7. Considering the submissions made by the learned APP for the State and the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

8. It is made clear that if petitioner surrenders and seeks regular bail, the learned Trial Court shall consider the regular bail application of the petitioner without being prejudiced by the instant order and shall consider the case of the petitioner on its own merit.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

