

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56581 of 2025

Arising Out of PS. Case No.-459 Year-2025 Thana- BHABHUA District- Kaimur (Bhabua)

1. Girdhar Pandey S/o- Late Jagat Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua
2. Santosh Pandey S/o- Girdhar Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua
3. Sanjeev Pandey S/o- Girdhar Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua
4. Shashi Kant Pandey S/o- Girdhar Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua
5. Rinku Pandey @ Tinku Pandey S/o- Girdhar Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua
6. Anup Pandey @ Anuj Pandey S/o- Girdhar Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua
7. Nitish Pandey S/o- Santosh Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua
8. Rupesh Pandey S/o- Santosh Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua
9. Vikash Pandey S/o- Santosh Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua
10. Manish Pandey S/o- Sanjeev Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua
11. Nilesh Pandey S/o- Sanjeev Pandey Village- Ratwar Ps- Bhabua Dist- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Advocate
For the State	:	Mr. Anuj Kumar Shrivastava, APP
For the Informant	:	Mr. Dharmendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 10-12-2025 Heard learned counsel for the petitioners and learned
APP for the State as well as learned counsel for the informant.

2. At the outset, learned counsel for the petitioners is seeking permission to withdraw the present petition on behalf of petitioner No.4, namely, Shashi Kant Pandey with liberty to



surrender before the Court below and move regular bail along with surrender application and he is only seeking direction to the learned Court below to consider his regular bail petition on the same day.

3. Accordingly, petition on behalf of petitioner No.4, namely, Shashi Kant Pandey stands withdrawn with liberty to him to surrender before the Court below and move appropriate application and in the event of filing of regular bail petition, the Court below is requested to hear his regular bail petition on the same day.

4. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Bhabua PS. Case No.- 459 of 2025 dated 01.06.2025, registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 118(1), 351(2), 352 and 303(2) of BNS, 2023.

5. As per allegation, when the informant was going to his house, he was pushed down by one Girdhar Pandey and assaulted by fists and slaps and on alarm raised by the informant, one Vikash Tiwary came there to rescue him. However, Vikash Tiwary was badly assaulted by the accused persons. As per injury report, Vikash Tiwary has suffered grievous injury on his hand and forehead.



6. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as a matter of fact, both parties are agnates and on account of land dispute, altercation took place between the two parties and both sides got injury and case and counter case have been filed between both the parties. The case lodged by petitioners' side is Bhabua P.S. Case No. 460 of 2025, registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 351(2), 352 and 303(2) of BNS, 2023.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

8. It has further been stated in paragraph no.3 of the petition that the petitioner Nos. 2, 7, 8, 9, 10 and 11 have no criminal antecedents, petitioner no.1 has two criminal antecedents and petitioner Nos. 3, 5 and 6 have one criminal antecedent.

9. Learned APP for the State and learned counsel for the informant vehemently oppose the prayer of the Petitioners for bail.

10. Considering the fact that both sides got injury and case and counter case have been filed, **this petition is allowed,**



directing the petitioners above-named, except the petitioner No.4, namely, Shashi Kant Pandey, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Concerned Court below, in connection with Bhabua PS. Case No.- 459 of 2025, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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