

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59914 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- JALALPUR District- Saran

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1. Mithu Pandey @ Mithu Kumar Pandey S/o- Shambhu Pandey @ Shambhunath Pandey Village- Harpur Kishunpur P.S- Jalalpur District- Saran At Chapra
 2. Raju Pandey @ Raju Kumar Pandey S/o- Shambhu Pandey @ Shambhunath Pandey Village- Harpur Kishunpur P.S- Jalalpur District- Saran At Chapra
 3. Bhola Pandey @ Dhanesh Kumar Pandey @ Dhanesh Pandey S/o- Triloki Pandey @ Trilokinath Pandey Village- Harpur Kishunpur P.S- Jalalpur District- Saran At Chapra
 4. Rakesh Pandey @ Rakesh Kumar Pandey S/o- Ferha Pandey @ Satendra Pandey Village- Harpur Kishunpur P.S- Jalalpur District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 126(2), 115(2), 118(1), 117(2), 118421100, 2002). 74, 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita.

3. As per the prosecution case, on 15.03.2025 at about 6-A.M., the informant had gone to attend the call of nature, on way, petitioner no. 1 misbehaved with her and when informant and her father went to house of the petitioner to complain,



petitioners and other co-accused persons assaulted them with lathi, iron rod and danda. Petitioner no. 1 is alleged to have assaulted on the head of father of informant with iron rod and when informant tried to save her father, she was also assaulted by petitioner no. 2 with iron rod.

4. Learned counsel for the petitioners submits that both parties are co-villagers and due to petty dispute, Maarpeet took place, in which both sides sustained injuries. Case and counter case. Case, lodged from the petitioners' side, is earlier in point of time. Though, injury, allegedly caused by petitioner no. 1 to father of informant, is grievous, but injuries caused by other petitioners (i.e. petitioner nos. 2, 3 & 4) are simple in nature. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the grievous nature of injury, caused by petitioner no. 1 to father of informant, the prayer for anticipatory bail of petitioner no. 1 is rejected.

7. However, since injuries, caused by other petitioners, are simple in nature, the prayer for anticipatory bail of petitioner nos. 2, 3 & 4 is allowed. Let the above named petitioner nos. 2, 3 & 4, in the event of their arrest/surrender



within a period of eight weeks from today, be enlarged 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, Saran at Chapra in connection with Jalalpur P.S. Case No. 47 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

8. This application is according disposed of.

(Prabhat Kumar Singh, J)

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