

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70787 of 2024**

Arising Out of PS. Case No.-14 Year-2024 Thana- Kharagpur District- Munger

1. Deepak Pandit @ Dipak Pandit S/O Vinod Pandit R/O Mazagai, Majhgai, P.S.- Haveli Kharagpur (Shampur O.P.), District Munger.
2. Manish Pandit @ Manish Kumar S/O Arjun Pandit R/O Mazagai, Majhgai, P.S.- Haveli Kharagpur (Shampur O.P.), District Munger.
3. Lalan Pandit @ Karan Pandit S/O Anandi Pandit R/O Mazagai, Majhgai, P.S.- Haveli Kharagpur (Shampur O.P.), District -Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 78757 of 2024**

Arising Out of PS. Case No.-14 Year-2024 Thana- Kharagpur District- Munger

1. Birbal Pandit @ Birendra Pandit @ Virendra Pandit S/O Binod Pandit R/O Village- Manjhgai, P.S- Haveli Kharagpur, Distt.- Munger.
2. Sonu Pandit @ Sonu Kumar S/O Arjun Pandit R/O Village- Manjhgai, P.S- Haveli Kharagpur, Distt.- Munger.
3. Kapildeo Pandit S/O Binod Pandit R/O Village- Manjhgai, P.S- Haveli Kharagpur, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 70787 of 2024)

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Shailendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 78757 of 2024)

For the Petitioner/s : Mr.Pravin Kumar Sinha

For the Opposite Party/s : Mr.Ajay Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH**

ORAL ORDER

4      31-01-2025      Both the cases are heard together as they have  
  
arisen out of same occurrence and registered under common



P.S. Case No. (Kharagpur Case No. 14 of 2024)

2. Vide order dated 25.10.2024, petitioners, namely, Manish Pandit @ Maniah Kumar and Lalan Pandit @ Karan Pandit has already been granted bail by this Court.

3. The instant application for anticipatory bail has been pressed for the petitioners, namely:-

- (a) Deepak Pandit @ Dipak Pandit
- (b) Birbal Pandit @ Birendra Pandit
- (c) Sonu Pandit @ Sonu Kumar
- (d) Kapildeo Pandit

4. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kharagpur P.S. Case no. 14 of 2024 instituted for the offence punishable under Sections 341, 323, 147, 307, 504 and 506 of the Indian Penal Code.

5. As per allegation in the FIR, on the occasion of Shradh, at the house of the informant, petitioners along with sixteen other accused persons entered her house and started to assault her husband by means of lathi, rod and butt of pistol, in the background of previous ongoing litigation. Petitioner, namely, Birbal Pandit assaulted him by means of



fist and petitioner, namely, Kapildev Pandit assaulted him by means of butt of pistol on his head. It is further alleged that when Raghunandan Kumar came there to save informant's husband, then petitioner Birbal Pandit assaulted him by means of iron rod due to which he sustained injuries over his face. Allegation against petitioner no. 1, namely Deepak Pandit is to assault Pallu Pandit by means of lathi on his head.

6. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent. Both parties are next door neighbours and land dispute is going on between them. Though, there is allegation of assaulting to Pallu Pandit against petitioner no. 1, but no injury report is brought on record to corroborate the same. The present case is counter blast version of Kharagpur P.S. case no. 13 of 2024, which was lodged by accused Kapildev Pandit against the informant and her accomplices. There is delay of four days in lodging the FIR. Similarly situated other co-accused persons have already been enlarged on anticipatory bail by this Court. Allegation levelled against petitioner Sonu Pandit @ Sonu Kumar is general and omnibus. Moreover, two co-



accused persons have been granted bail vide order dated 25.10.2024.

7. Learned APP appearing for the State has opposed the prayer of Bail and submitted that there is specific allegation against the petitioners Birbal Pandit and Kapildev Pandit to assault the informant's husband. Birbal Pandit has brutally assaulted Pallu Pandit. From perusal of the injury report, mentioned in para 93 and 102 of the case diary, it transpires that the injured (informant's husband) has sustained injuries over his parietal region and it has been opined as grievous in nature, by the doctor.

8. 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, namely, **Deepak Pandit @ Dipak Pandit and Sonu Pandit @ Sonu Kumar on bail** as there is no any specific allegation of assaulting which could cause grievous injury to anyone. Both 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 Kharagpur P.S.



Case no. 14 of 2024, 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 ACJM-IV, Munger subject to the conditions as laid down under section 438(2) of the Cr.P.C.

9. So far as petitioners no. 1, namely, Birbal Pandit @ Birendra Pandit and Kapildeo Pandit are concerned, this court is **not** inclined to enlarge them on bail, after considering the nature of allegation and injury report, and, as such, their prayer for bail stands rejected and they are directed to surrender before learned court below and pray for regular bail, the same shall be considered by the court below, without being prejudiced by the order of this Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

