

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74260 of 2024

Arising Out of PS. Case No.-89 Year-2022 Thana- LAKHNAUR District- Madhubani

1. Ranju Devi W/O Soman Pandit @ Suman Pandit R/O Vilage- Berma, P.S- Lakhnour (R.S.O.P.), Distt.- Madhubani.
2. Bhola Pandit S/O Late Aklu Pandit R/O Vilage- Berma, P.S- Lakhnour (R.S.O.P.), Distt.- Madhubani.
3. Soman Pandit @ Suman Pandit S/O Bhola Pandit R/O Vilage- Berma, P.S- Lakhnour (R.S.O.P.), Distt.- Madhubani.
4. Kunwar Pandit @ Kunwar Kumar Pandit S/O Bhola Pandit R/O Vilage- Berma, P.S- Lakhnour (R.S.O.P.), Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar Giri, Adv
For the State	:	Mr.Chandra Sen Prasad Singh, APP
For the Informant		Mr. Rajesh Kumar Jha, Adv
		Mr. Mukesh Mishra, Adv
		ms. Meenakshi Priya, Adv

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 18-04-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant and the State.

2. At the outset, learned counsel for the petitioner
prays and is permitted to withdraw of the bail application of
petitioner no. 3 namely, Soman Pandit.

3. Petitioners apprehend their arrest in connection
with Lakhnour P.S. Case No. 89 of 2022 registered for the
offences punishable under Sections 341, 323, 308, 354A, 504,
506/34 of the Indian Penal Code.



4. The first information report would disclose that on account of dispute which took place between the parties, it is stated that co-accused persons came variously armed and there is allegation on petitioner no. 3 Suman Pandit of giving farsa blow on the head of the informant's father causing head injury. Further, the allegation on petitioner no. 2, Bhola Pandit is that of giving khanti blow on the right leg of the father of the informant and petitioner no. 4, Kunwar Pandit, is that he had assaulted by means of iron rod on the right leg of the informant.

5. Learned counsel for the petitioner submits that it would appear from the allegations made in the FIR that with regard to petitioner no. 1, who is wife of Suman Pandit, the allegation is only of assaulting the wife of informant by means of lathi but no corresponding injury has been found with regard to the same. So far as, the allegation on petitioner no. 2 and 4 are concerned, the allegations have resulted with injuries which are simple in nature. Learned counsel for the petitioner also submitted that initially the charge sheet in this case has been filed under section 341,323 etc of the I.P.C and only after being remanded from the revisional court, section 308 of the IPC was also added. It has further submitted that there is case and counter case between the parties. It is stated that the case has



also been filed from the petitioners side, which is Lakhnour P.S.Case No. 88 of 2020 against the informant and his family members.

6. The learned APP and the learned counsel for the informant oppose the bail application.

7. Considering all the above mentioned facts and circumstances and the fact that above named petitioner nos.1, 2 and 4, the allegations of assault are not very serious and they have not sustained any serious injuries, I am inclined to grant privilege of anticipatory bail to the petitioner nos. 1, 2 and 4. Accordingly, their prayer for anticipatory bail in connection with Lakhnour P.S.Case No. 89 of 2022 pending in the court of learned Chief Judicial Magistrate Jhanjharpur, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioners shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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