

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76179 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- BHAPTIAHI District- Supaul

Raj Kishor Pandey Son of Sita Ram Pandey R/o Village - Ram Nagar, Ward
no. 11, P.S. - Bhaptiyahi, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bhaptiyahi P.S. Case No. 111 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 117(2), 109, 303(2), 351(2), 352, 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons dragged out the husband of the informant from his vehicle and hurling abuses assaulted him. The co-accused persons brutally assaulted the husband of the informant with *lathi* and *danda*, causing fracture of his leg. The husband of the informant was further assaulted by all FIR named co-accused persons. They also took away cash and ornaments from the



house of the informant. The victim succumbed to his injuries subsequently.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no substantive material to show the involvement of the petitioner in the whole occurrence. There is no eye witness to the occurrence and even the informant reached at the spot only after the occurrence had already taken place. The petitioner was not even present at the place of occurrence and his name has been dragged in this case due to village politics. Learned counsel further submits that the petitioner has been named along with other co-accused persons and there is general and omnibus allegation against the petitioner for assaulting the husband of the informant apart from that no material has come up against the petitioner. The petitioner is having clean antecedent. The petitioner is in custody since 05.06.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and vague nature of allegation against the petitioner and



also considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul/court concerned in connection with Bhaptiyahi P.S. Case No. 111 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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