

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74735 of 2024

Arising Out of PS. Case No.-250 Year-2024 Thana- LAXMIPUR District- Jamui

-
1. Bishun Pandit Son of Jogi Pandit R/O Vill.- Anandpur, P.S.- Laxmipur, Dist.- Jamui.
 2. Sushma Devi Wife of Santu Pandit R/O Vill.- Anandpur, P.S.- Laxmipur, Dist.- Jamui.
 3. Radha Devi Wife of Shankar Pandit R/O Vill.- Anandpur, P.S.- Laxmipur, Dist.- Jamui.
 4. Bikash Pandit son of Shankar Pandit R/O Vill.- Anandpur, P.S.- Laxmipur, Dist.- Jamui.
 5. Santu Pandit Son of Bishun Pandit R/O Vill.- Anandpur, P.S.- Laxmipur, Dist.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 29-01-2025 1. Heard Mr. Pankaj Kumar Sinha, learned counsel for the petitioners and Mr. Surendra Prasad Singh, learned APP for the State.
2. The petitioners apprehend their arrest in connection with Laxmipur P.S. Case No. 250 of 2024 dated 24.07.2024 registered for the offence(s) punishable under Section(s) 191(2), 127(1), 115(2), 329(4), 109, 303(2), 126(2) of the BNS.
3. As per the prosecution story, the informant stated that on 23.07.2024 at about 12:00 P.M., the accused persons came bearing lathi, pistol, sword and spear and assaulted the



informant's brother on his head with a sword and on his chest with a brick and also assaulted other members of the family. The accused persons also snatched away their mobile phone and some gold jewellery .

4. The main submissions advanced by the learned counsel for the petitioners are that both the parties are agnates and in between them there is a civil dispute relating to the partition matter, in fact, on the alleged day and time of occurrence a dispute arose in between both the parties on account of a constructed wall which led to the commission of the alleged occurrence and a free fight took place in between both the parties and there is a case and counter case between them. It is further submitted that there is no specific allegation against the petitioner nos. 2 and 3 who are ladies and most of the injuries of the injured persons have been opined to be simple in nature except one which is opined to be grievous in nature.

5. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

6. Considering the seriousness of the occurrence which relates to assault in which five persons sustained injuries and out of them one person being the brother of the informant sustained grievous injury and the case is under investigation, in



my opinion, the **petitioner no.1 (Bishun Pandit), petitioner no. 4 (Bikash Pandit) and petitioner no.5 (Santu Pandit)** do not deserve to the privilege of anticipatory bail. **Accordingly, their prayer stands rejected.**

7. Considering the nature of allegation appearing against the **petitioner no. 2 (Sushma Devi) and petitioner no. 3 (Radha Devi)** who are ladies, their prayer is allowed and this court is inclined to grant the relief of anticipatory bail to them. Accordingly, let the **petitioner no. 2 (Sushma Devi) and petitioner no. 3 (Radha Devi),** in the event of their arrest/surrender before the learned court below within a period of six weeks from today, **be released on anticipatory bail in connection with** Laxmipur P.S. Case No. 250 of 2024 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 484(2) of the B.N.S.S.

(Shailendra Singh, J)

Rajiv/-

U		T	
---	--	---	--

