

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78305 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- PIPRIYA District- Lakhisarai

Pandav Kumar @ Pandav Yadav S/o Akhileshwar Yadav @ Amleshwar Yadav
R/o Village- Mudvadiya (Mudariya), P.S- Pipariya, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 03-12-2025

Heard the parties concerned.

2. The petitioner is apprehending his arrest in connection with Pipariya PS Case No. 45 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 117(2), 109(1), 303(2) 352, 351(2) 3(5) of the BNS, 2023 on 15.05.2025 by the informant, Pawan Yadav.

3. The prosecution story, in brief, is that the informant has allegedly been assaulted by his brother and nephew on the issue of parking tractor on their land. It has further been alleged that the petitioner along with one another, accused, Amleshwar Yadav has assaulted the informant by means of *lathi danda* and the petitioner is said to have committed theft of golden locket worth of Rs. 50,000/- Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the



petitioner has falsely been implicated in this case due to oblique motive and on the basis of petty dispute of parking a tractor and both the parties are agnates to each other. It has next been submitted that the instant case is a counter blast of Pipariya PS Case No. 44 of 2025 registered under Sections 126(2), 115(2), 117(2), 109(1), 352, 351(2) and 315 of the BNS, 2023 by father the petitioner against the informant and others. It has next been submitted that the issues between the parties have already been amicably settled due to intervention of well-wishers of the locality and cordial relationship has been restored between them and they have jointly filed a compromise petition before the learned trial court. It has further been submitted that the informant who is said to have sustained injuries and on examination by the treating doctor, the injuries have been found to be simple in nature caused by hard and blunt substance.

5. Learned APP though opposes the prayer for anticipatory bail of the petitioner but fairly concedes that the parties are agnates and the injuries are found to be simple in nature.

6. Considering the facts that both the parties, on the interventions of local well-wishers, have tried to resolve the issues for which the joint compromise petition has already been



filed for consideration before the learned trial court, the learned concerned court is directed to verify the compromise petition and as also the case which is said to have been lodged by the father of this petitioner being Pipariya PS Case No. 44 of 2025 registered under Sections 126(2), 115(2), 117(2), 109(1), 352, 351(2) and 315 of the BNS, 2023 against the informant and others and on finding the statement to be true, the bail bond of this petitioner shall be accepted. It is further directed that in case, the allegations of general nature is levelled against them by the informant during course of trial and on finding the allegations to be true having substance, then the State shall be at liberty to take appropriate measures for cancellation of the anticipatory bail.

7. Considering the fact that there is a case and counter case between the parties and they have jointly filed the compromise petition and above all the injuries have been found to be simple in nature, this Court is inclined to extend the petitioner the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of their arrest or surrender before the subordinate court within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each in connection with aforesaid P.S. Case to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, subject to the conditions as laid down under Section 482(2) of the BNSS as also subject to the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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