

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80489 of 2025

Arising Out of PS. Case No.-285 Year-2025 Thana- BAIKUNTHPUR District- Gopalganj

1. Manbodhan Pandey S/o Late Bunni Pandey R/o Vill- Bamon Briti Tola, P.S.- Baikunthpur, Distt- Gopalganj
2. Pran Pandey S/o Late Bunni Pandey R/o Vill- Bamon Briti Tola, P.S.- Baikunthpur, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 115(2), 117(2), 118(1), 109(1), 126(2), 351(2), 352 and 3(5) of B.N.S., 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that the accused persons on 30.07.2025 at 09:00 p.m. were trying to commit theft of his pregnant cow by loading the cattle on a pick-up vehicle, on protest, accused Anand Pandey and petitioner no.2 tried to strangulate him by a towel while



petitioner no.1 assaulted by a sharp edged weapon causing injury on head, thereafter Dharmendra Pandey assaulted by *Garasa* causing injury on head and Amarjeet Pandey assaulted by knife causing injury on rib and the accused persons fled with the cow.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that a civil dispute in between the parties is going on. It is further submitted that as far as allegation of committing theft of cow is alleged, the same is exaggerated. It is next submitted that from perusal of the allegations, as alleged in the FIR, it would manifest that as far as petitioner no.2 is concerned, he is alleged to have tried to strangle the informant along with Anand Pandey by a towel. It is further submitted that petitioner no.1 though is alleged to have assaulted by a sharp edged weapon causing injury on head but then Dharmendra Pandey is also alleged to have assaulted by *Garasa* causing injury on head and Amarjeet Pandey is not a petitioner in the instant anticipatory bail application. It is further submitted that petitioner no.1 along with Dharmendra Pandey are alleged to have assaulted the informant causing injury on head but then only one injury is found on the head of the



informant.

5. The learned APP vehemently opposes the anticipatory bail application and submits that from perusal of Annexure-P/2 to the anticipatory bail application, i.e., the injury report, it would manifest that following injuries were found on the body of the injured:

- i) Incised wound at head region 1½”x1/2”x bone deep
- ii) Incised wound at abdomen region
- iii) Pain & T.O.P. in Right shoulder region

6. It is next submitted by learned APP for the State that the injuries have been opined to be grievous in nature. It is next submitted that though informant specifically alleges that petitioner no.1 along with Dharmendra Pandey assaulted him causing injury on head but then only one injury was found. It is submitted that FIR is not an encyclopedia. It is next submitted that even Amarjeet Pandey is alleged to have assaulted the informant by knife on vital part of his body, i.e., rib and an incised wound was found. It is also submitted that the accused persons were able to commit the occurrence because of the presence of the accused at the place of occurrence which emboldened Manbodhan Pandey, Dharmendra Pandey and Amarjeet Pandey to inflict such injuries. It is also submitted that



the investigation of the case is in its nascent stages.

6. Considering the submissions made by the learned APP, this Court is not inclined to extend the privilege of anticipatory bail to the petitioners. Accordingly, the prayer for grant of anticipatory bail to the petitioners is hereby rejected in connection with Baikunthpur P.S. Case No.285 of 2025, pending in the court of learned Judicial Magistrate, 1st Class, Gopalganj.

(Satyavrat Verma, J)

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