

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3362 of 2026

Arising Out of PS. Case No.-486 Year-2025 Thana- PALIGANJ District- Patna

1. Shyam Kumar Pandey @ Shyam Sunder Pandey @ Shyam Kumar S/o Shri Jai Mangal Pandey R/o village- Udaipur, P.S.- Paliganj, District.- Patna
2. Radhe Shyam Pandey @ Amar Kumar Pandey S/o Shri Jai Mangal Pandey R/o village- Udaipur, P.S.- Paliganj, District.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Advocate
		Mr. Amit Kumar Mishra, Advocate
For the Opposite Party/s	:	Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-01-2026

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Paliganj P.S. Case no.486 of 2025, registered under sections 109(1), 126(2), 115(2), 117(2), 74, 76, 79, 352, 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that the accused persons including the two petitioners herein came variously armed. It is further stated that on the orders of Jai Mangal Pandey, Shyam Sunder Pandey assaulted with a *kudaal* on the head of the informant as a result of which he sustained injuries on his head and eyes. It is further stated that Radhe Shyam Pandey with ill intention pulled the cloth of his



wife. The informant further states that Radhe Shyam Pandey and Shyam Sunder Pandey continued their assault with iron rod till the informant fell down having sustained injuries on various parts of the body.

4. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. The parties are agnates and there is dispute between them over an ancestral house as has been mentioned in paragraph nos.6 and 7 of the petition. There is an unexplained delay of two days in lodging of the F.I.R. The informant was in an intoxicated condition and was hurling abuses when the occurrence took place. There is contradiction in the statements of the witnesses. The petitioners have no criminal antecedent and undertake to cooperate in the investigation.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners of having assaulted the informant with *kudaal* and iron rod on the head of the informant together with the contents of the injury report wherein the injury on the informant has been found to be grievous in nature, the Court is not inclined to enlarge the



petitioners on anticipatory bail and the application is rejected.

7. The petitioners are directed to surrender in the learned Court below within a period of four weeks.

8. In case the petitioners so surrender within the aforesaid period and pray for regular bail, the same shall be considered on its own merits without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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