

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29945 of 2026

Arising Out of PS. Case No.-153 Year-2023 Thana- SINGHWARA District- Darbhanga

Jivnath Pandit S/O Mahanth Pandit Resident of Village- Nista, Ward No. -6,
P.S-Singhwara, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Singhwara P.S. Case No. 153 of 2023 registered for the alleged offence under Sections 341, 323, 324, 3088, 354B, 504, 506 r/w 34 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons surrounded the informant and her daughter and hurling filthy abuses assaulted the informant. Allegation against the petitioner is that he gave knife blows on the head of the informant who fell down. The occurrence took place in the background of land dispute.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Admittedly, there is land dispute between the parties and this



case has been filed as counterblast of Singhwara P.S. Case No. 117 of 2020 instituted by one Dipu Pandit, the son of the present petitioner, against the informant and others for the offences under Sections 147, 148, 149, 323, 324, 307, 379, 354(B) r/w 34 of IPC. The informant has suppressed the true fact as the cousin of the informant had been tried to cut bamboos of the petitioner who forbade her from doing so and scuffle took place between the parties. This petitioner was assaulted by the informant side along with his other family members and Singhwara P.S. Case No. 154 of 2023 was lodged against the informant side. The petitioner is an old and aged about 73 years and it is not believable that he would keep a knife for assaulting the informant or for causing her death. The injury report falsifies the allegation against the petitioner that he gave knife blows on the head of the informant as the injuries of the informant are lacerated wound of size 1" x 1/2" x scalp thickness on left parietal region of skull and lacerated wound of size 1" x 1/8" x scalp thickness over right parietal region of skull apart from tenderness and swelling over left leg. But there is no allegation of causing any lacerated wound on the informant by the petitioner. The petitioner is having antecedent of two cases and is no bail in both the cases.

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



06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the background of land dispute and case and counter case of the parties and further considering the possibility of false implication of a 73 years old person, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga/court concerned in connection with Singhwara P.S. Case No. 153 of 2023, subject to the condition laid down under Section 482(2) of BNSS and other 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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