

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31396 of 2026

Arising Out of PS. Case No.-71 Year-2026 Thana- KHAIRA District- Jamui

Prakash Pandit @ Prakesh Pandit S/o Gopal Pandit R/o Village - Jhundo,
Police Station - Khaira, District - Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2026 Heard Mr. Pankaj Kumar Sinha, learned counsel for
the petitioner and Dr. Indihar Kumari, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
28.02.2026 in connection with Khaira P.S. Case No. 71 of 2026
for the offences punishable under Sections 115(2), 126(2),
109(1), 324(4) and 3(5) of BNS.

3. The case of the prosecution, in brief, is that the
informant Vikash Kumar gave a written report to Khaira Police
Station stating therein that on 27.02.2026 at about 6.30 O'clock
accused persons 4 in number including the petitioner came at his
hand and alleged that share of house is not to be given and
started to construct the wall in front of gate of the informant. On
protest Prakash Pandit assaulted to head of the informant by



means of rod, head is broken and blood was oozing. Other accused persons also assaulted to him by lathi danda and destroy the Toto Rickshaw with the help of village went to Khaira Hospital. It is further alleged that Prakash Pandit with intention to kill assaulted with iron rod at his head.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that the present case is a counterblast of Khaira P.S. Case No. 70 of 2026 filed by the petitioner against the informant and his family members. It is next submitted that although the petitioner is named in the FIR but there is no specific allegation of assault or overt act against the petitioner rather the allegations are general and omnibus in nature. It is next submitted that the informant in order to save himself from Khaira P.S. Case No. 70 of 2026 has filed the present case against the petitioner and the other accused persons and petitioner is in custody since 28.02.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.



6. Considering the aforesaid facts and circumstances and that petitioner has clean antecedent and also the fact that the present case is a counterblast of Khaira P.S. Case No. 70 of 2026, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 71 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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