

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34061 of 2026

Arising Out of PS. Case No.-156 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

1. Praveen Pandey @ Pravin Pandey @ Parbindra Kumar Pandey S/O Rajkrit Pandey R/O Vill.- Dhodhwaliya, P.S.- Kuchaikote, District- Gopalganj
2. Sudhir Pandey S/O Rajkrit Pandey R/O Vill.- Dhodhwaliya, P.S.- Kuchaikote, District- Gopalganj
3. Ramjee Pandey S/O Rajkrit Pandey R/O Vill.- Dhodhwaliya, P.S.- Kuchaikote, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 18-05-2026 Heard the learned counsel for the petitioners and the learned
APP for the State.

2. The petitioners are apprehending their arrest in Kuchaikote
P.S. Case No. 156 of 2019 registered under Sections 341, 323, 326,
307, 504 and 34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution story which has been lodged on the
basis of written report submitted by the informant to the effect that
on the alleged date of occurrence i.e 5.6.2019 all the accused persons
surrounded his son while he had gone to the grocery shop. He alleged
that for a dispute, which was there from before in-between the son of
the informant and co-accused Priyanshu Pandey, for playing cricket,
the co-accused Priyanshu Pandey is said to have fired at his son, due



to which, he suffered bullet injuries.

3. Learned counsel for the petitioners submits that the petitioners are innocent and the allegation of firing has been levelled against co-accused Priyanshu Pandey, who is the son of Petitioner No. 1 and only due to that fact, the petitioners have been arrayed as accused in the present case. She further submits that the police after investigation, submitted charge-sheet No. 174 of 2020 on 21.6.2020, whereby the accused persons were not sent up for trial. However, the learned ACJM-VII, Gopalganj vide his order dated 25.2.2022 differed with the report of the police and took cognizance against the petitioners herein. She further submits that the petitioners have got a clean antecedent.

4. The Learned APP for the State opposes the prayer for anticipatory bail of the petitioners.

5. Having heard the learned counsels for the parties and after going through the records, it appears that the allegation of firing is against co-accused Priyanshu Pandey, who is said to be son of the Petitioner No. 1 and nothing has been alleged in the first information report against the petitioners. Further, the petitioners were not sent up for trial and final form was submitted against them by the police. However, the learned ACJM-VII, Gopalganj, differing with the police report, took cognizance against the petitioners. The petitioners have got clean antecedent.

6. Considering the aforesaid facts and circumstances, let



the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-VII, Gopalganj in connection with Kuchaikote P.S. Case No. 156 of 2019, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(I) The learned Court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed his criminal antecedents, the Court concerned shall take steps for cancellation of bail bond of the petitioners. 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.

(Ritesh Kumar, J)

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