

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35753 of 2026

Arising Out of PS. Case No.-115 Year-2026 Thana- NOORSARAI District- Nalanda

1. Nawnit Pandey @ Manish Kumar @ Manish Pandey Son of Shivraj Pandey (Wrogly Mentioned As Muralidhar Pandey in accused column) Resident of Village -Parasi Police Station -Noorsarai and District -Nalanda
2. kaishlendra Kumar @ Chhotaku Kumar @ Chhotaku @ Kaushalendra Kumar Son of Muralidhar Pandey Resident of Village -Parasi Police Station -Noorsarai and District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 26-05-2026 Heard the learned counsel for the petitioners and
the learned APP for the State.

2. The petitioners apprehends their arrest in connection with Noorsarai P.S. Case No. 115 of 2026, for allegedly having committed offence under Sections 115(2), 351(2), 352, 109, 117(2), 74, 303(2), 3(5) of the BNS.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that while he was sitting with his family members, all the three accused persons came with Iron rod and and started abusing the informant. Upon protest made by the informant, co-accused Murlidhar Pandey is said to have assaulted the



informant with *Khanti* on his head, due to which he suffered injuries and fell down. Subsequently, the petitioners herein assaulted the informant with sticks on their hand, due to which, his left hand got fractured. When the wife of the informant came to save him, she was also assaulted by stick and her gold *Mangalsutra* was snatched.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He submits that for the same occurrence, Noorsarai PS Case No. 117 of 2026 has been lodged against the informant and others by the wife of co-accused Murlidhar Pandey. He further submits that a scuffle took place in between the parties and both the sides suffered injuries, for which a case and counter case has been lodged. He further submits that specific allegation of assault on the head of the informant is on co-accused Murlidhar Pandey. The allegation against both the petitioners are that they assaulted the informant with stick, when he fell down on the ground after being assaulted by Murlidhar Pandey. He further submits that the petitioners have got a clean antecedent.

5. Per contra, the learned APP for the State vehemently opposes the prayer for bail of the petitioners and submits that along with co-accused Murlidhar Pandey, the



petitioners have assaulted the informant with lathi due to which, he sustained injuries.

6. Having considered the rival submissions and after going through the records, it appears that there was a free fight in between the parties, for which case and counter case has been lodged. Both the sides received injuries, however the only allegation against the petitioners are that they assaulted the informant, when he fell down on the ground, after being assaulted by co-accused Murlidhar Pandey on head by a *khanti*. The petitioners have got a clean antecedent. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class- III, Nalanda in connection with Noorsarai P.S. Case No. 115 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) 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 their 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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