

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37932 of 2026

Arising Out of PS. Case No.-184 Year-2025 Thana- KHAJAUJI District- Madhubani

1. Sachin Pandit S/o- Ram Pandit Resident of Village- Khajauli PS- Khajuli Dist- Madhubani
2. Raghunath Pandit S/o- Late Ramlakhan Pandit Resident of Village- Khajauli Ps- Khajuli Dist- Madhubani
3. Nilam Devi @ Lilam Devi D/o- Sri Ram Pandit @ Ram Pandit Resident of Village- Khajauli Ps- Khajuli Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-06-2026 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Khajauli P.S. Case No. 184 of 2025, lodged on 02.09.2025, under Sections 126(2)/115(2) /109 /329(4) / 303(2)/352/351(2)/3(5) of the Bhartiya Nyay Sanhita, 2023 and under Section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against



seven named accused persons including the present petitioners with allegation that they armed with weapon entered into her house and started abusing and assaulting. When the informant objected, co-accused Govind Pandit fired at her father-in-law with pistol. Accused Sachin Pandit, Raghunath Pandit and Nilam Devi assaulted the informant and her father-in-law with sword, spade and Khanti, due to which they sustained injury.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the entire prosecution case seems to be planted and concocted after thought. He submits that the specific allegation is against co-accused Govind Pandit of firing. He submits that petitioners are the family members of co-accused Govind Pandit and they have been falsely implicated in this case. He submits that petitioners and informant both are next door neighbour. He submits that petitioner Nos.1 and 2 have one criminal antecedent and petitioner No.3 has clean antecedent. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there are direct allegation



of assault against the petitioners and petitioner Nos.1 and 2 have criminal antecedent. He fairly submits that petitioner No.3 has clean antecedent.

6. Considering the fact that there are direct allegation of assault against petitioner Nos.1 and 2 as well as criminal antecedent, this Court is not inclined to grant anticipatory bail to them. Hence, anticipatory bail application of petitioner Nos.1 and 2 is hereby rejected. However, in the event of surrender of the petitioners within four weeks from today, the prayer for regular bail shall be considered on the same day without being prejudiced by the order of this Court.

7. As far as petitioner No.3 is concerned, considering the fact that petitioner No.3 is a lady having clean antecedent, let petitioner No.3 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate, 1st Class, Madhubani, in connection with Khajauli P.S. Case No. 184 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

8. And further condition that the Trial Court shall



verify the criminal antecedent of the petitioner No.3 and in case at any stage it is found that the petitioner No.3 has concealed her criminal antecedent, the Trial Court 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.

(Dr. Anshuman, J)

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