

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40939 of 2026

Arising Out of PS. Case No.-128 Year-2026 Thana- BENIPATTI District- Madhubani

1. Govind Pandey S/o Sri Lalan Pandey R/o vill - Bise Ladugama, ward no. 4, P.S.- Benipatti, Distt.- Madhubani, Bihar
2. Lalan Pandey S/o Sundeshwar Pandey @ Sudeshwar Pandey R/o vill - Bise Ladugama, ward no. 4, P.S.- Benipatti, Distt.- Madhubani, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Adv
	:	Mr. Ghanshyam, Adv
For the Opposite Party/s	:	Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-06-2026 Heard the parties.

2. Both petitioners are named in the F.I.R. and apprehending their arrest in connection with Benipatti P.S. Case No.128/2026 registered for the offences punishable under Sections 126(2), 115(5), 303(2), 351(2), 352, 3(5) and 109(1) BNS.

3. The allegation against petitioners is to assault son of informant during the course of occurrence by using *lathi* causing head injuries, having intention to cause death of the injured, where occurrence alleged to be arising out of neighborhood disputes and differences.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the allegation as narrated through the FIR in its maximum aggravated form which is apparent from the nature of injury, which is simple. In this context, it is submitted that only two



injuries were found upon injured/informant in the background of the allegation that he was assaulted indiscriminately by “*lathi*” on the head of son of the informant and further, these two injuries upon medical examination found simple in nature. It is submitted that allegation of assault against Lalan Pandey, who is the father of petitioner no. 1 *qua* physical assault is appearing very much general and omnibus in nature as main allegation as per FIR on him is of instigation to petitioner no. 1. Petitioners found involved in two more cases, where they are on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as nature of injury as alleged to be caused by this petitioner upon medical examination found simple in nature, accordingly both above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Benipatti, Madhubani/concerned Court, where the case is pending in connection with Benipatti P.S. Case No.128/2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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