IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58174 of 2026

CNR No. BRHC010776682026

Arising Out of PS. Case No.-144 Year-2026 Thana- ISLAMPUR District- Nalanda

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1. Lav Kush Pandey @ Luv Kush Pandey S/o Late Jamunakant Shastri Resident of Village - Danapur, P.S. - Islampur, District - Nalanda
2. Tona Pandey @ Tannu Pandey @ Tona Padey @ Tono Pandey S/o Lav Kush Pandey @ Luv Kush Pandey Resident of Village - Danapur, P.S. - Islampur, District - Nalanda

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shyamal Prakash, Advocate
For the State : Mr. Parmanand Kumar, APP
For the Informant : Mr. Brajesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

3 27-10-2026 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. on behalf of the State.

2. Learned counsel for the petitioners is permitted to make correction in ‘Paragraph-4’ of the bail application during the course of the day.

3. This application is filed for grant of regular bail to the petitioners who have been made accused in connection with Islampur P.S Case No. 144 of 2026, registered for the offences punishable under Sections 190, 191(2), 191(3), 126(2), 115(2), 109, 303(2), 351(3), 352 of the B.N.S.

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4. As per the prosecution, it is alleged that the accused persons allegedly armed with khanti, gadasa and tangi, assaulted the informant. Tona Pandey (petitioner no. 1) assaulted the informant on the head with a tangi with an intention to kill him. When Prince Pandey intervened, Abhimanyu Pandey allegedly assaulted him on the head with a sharp-edged weapon, while Abhishek Pandey beat him with a rod. It is alleged that the wife of petitioner no. 1 allegedly snatched the informant's gold chain, and the accused persons left after threatening the victims.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence and have been falsely implicated in this case due to land dispute between the parties. It is submitted that no specific overt act has been attributed against petitioner no. 1 in the FIR.

6. As per the injury report, the injuries afflicted to the informant are simple in nature. It is further submitted that there is no recovery of tangi from petitioner no. 2.

7. It is further submitted that both the petitioners and the informant are agnates to one another and case and counter-case have been going on between the parties due to land disputes.

8. Learned counsel for the petitioners submits that

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investigation has been completed and charge-sheet has been filed against the petitioners and the petitioners are in judicial custody since 06.05.2026. It is submitted that petitioner no. 1 is having one criminal antecedent of Electricity Act in which he has been granted bail and petitioner no. 2 is having clean antecedent.

9. Learned counsel for the informant and learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioners.

10. Considering the aforesaid facts and circumstances of the case, the petitioners, namely, 1. Lav Kush Pandey (Petitioner No. 1) and 2. Tona Pandey (Petitioner No. 2) are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand rupees) each with two sureties of the like amount each to the satisfaction of the Court of learned Additional Chief Judicial Magistrate – I, Hilsa, Nalanda in connection with Islampur P.S Case No. 144 of 2026 on the following conditions:-

(i) That one of the bailors should be family member of the petitioners.

(ii) That the petitioners will cooperate in the trial and will remain present on all dates personally or should be duly

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represented through their counsel and whenever required to be physically present by the Court, they should physically appear in Court on that date.

(iii) If the petitioners tamper with the evidence or threaten the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

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