IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75530 of 2026

CNR No. BRHC011090292026

Arising Out of PS. Case No.-168 Year-2026 Thana- BARARI District- Katihar

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1. Nitish Pandit @ Nitesh Kumar Pandit Son of Bambam Pandit Resident of Village - Chhoti Bhainsdiara (Chhoti Bhainsdira), P.S.- Barari, District - Katihar
2. Chandan Pandit @ Chandan Kumar Pandit Son of Bambam Pandit Resident of Village - Chhoti Bhainsdiara (Chhoti Bhainsdira), P.S.- Barari, District - Katihar
3. Kundan Pandit @ Kundan Kumar Pandit Son of Bambam Pandit Resident of Village - Chhoti Bhainsdiara (Chhoti Bhainsdira), P.S.- Barari, District - Katihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners are apprehending their arrest in connection with Barari P.S. Case No. 168 of 2026 dated 27.06.2026 registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109, 324(5), 74, 76, 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the allegation, on the question of the construction of wall of a private toilet, a quarrel took place, in

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course of which, the petitioners are alleged to have caught hold the informant followed by assault by means of a farsa on the head of the informant by co-accused Bamban Pandit, while there is an allegation of attempt to molest the wife of the informant, and co-accused Shila Devi and Shivani Kumari took the nose pin of the wife of the informant worth Rs. 10,000/-.

4. Learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in this case. It has further been submitted that the occurrence, as per the FIR itself, took place suddenly without any premeditation to kill. It has further been submitted that the allegation of catching hold has been purposely levelled, so as to distribute the allegation. It has further been submitted, referring to the injury report, that the informant might have received injuries in somewhat other manner because the injury is said to be inflicted by means of farsa, a sharp cutting weapon, whereas the weapon used in the said occurrence was a hard and blunt substance. It has further been submitted that the injuries were opined to be simple in nature. It has further been submitted that the petitioner Nos. 1 and 3 were earlier made accused in one case, while the petitioner No.2 was made accused in two other cases and those cases were filed by the prosecution side.

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5. Learned counsel for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case as well as the genesis of the occurrence, as also non-corroboration of the injuries with the allegation, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on 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 court concerned, Katihar, in connection with Barari P.S. Case No. 168 of 2026, subject to conditions as laid down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

Shivam/-

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