

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91220 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- CHACKMEHSI District- Samastipur

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Anshu Kumar Pandey @ Chhotu @ Anshu Kumar Son of Late Vinay Kumar Pandey Resident of village -Rasalpur Baghla PS -Chakmehsi Distt -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dwij Raj, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-01-2026 Heard learned Advocate appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Chakmenhasi P.S. Case No. 41 of 2025, registered for the offences punishable under Sections 329(4), 126(2), 115(2), 303(2), 118(1), 352, 351(2), 76, 3(5) and 109 of the Bharatiya Nyaya Sanhita, 2023.

3. In the evening of the fateful day all the FIR named accused persons including the petitioner entered into the house of the informant and started abusing and threatened them to withdraw the earlier case instituted by them. On protest, co-accused Vineet Kumar Pandey @ Raju has brutally assaulted the



husband of the informant by means of spade, due to which she sustained serious injuries whereas this petitioner has assaulted over his temple by means of iron rod. There is further allegation against other accused persons of causing assault and snatching of valuables.

4. Learned Advocate appearing on behalf of the petitioner submitted that the entire prosecution case falls to the ground for the simple reason that no injury whatsoever has been found over the temple and nearby the ear of the informant's husband. The genesis of the occurrence is nothing but a previous enmity and the present case has been instituted with a view to settle the score. Prior to the institution of this case, the petitioner had been made accused in connection with Mahila P.S. Case No. 75 of 2023, however in the said case the petitioner has been extended the privilege of bail. The petitioner undertakes that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that there is a specific accusation against the petitioner of causing iron rod blow over the vital part of the body of the informant's husband.



6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the discussion made in the impugned order that there is no injury over the temple and nearby the ear of the informant's husband and the other accused persons have been allowed bail by the Court below itself, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JMFC-cum-Additional Munshif, Samastipur in connection with Chakmenhasi P.S. Case No. 41 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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