

Court of Dist. & Addl. Sessions Judge-I, Benipur (Darbhanga)
Present:- Sri Rishi Gupta, Dist. & Addl. Sessions Judge-I, Benipur
In Bahera No. 335/25, State vs. Dukhi Pandit & another.

**In the Court of Sri Rishi Gupta, Dist. & Addl. Sessions Judge-I, Benipur,
Darbhanga.**

Present

Rishi Gupta
Dist. & Addl. Sessions Judge- I, Benipur
Benipur, dated, the 08th June, 2026
Anticipatory Bail Petition no. 36 of 2026

Dukhi Pandit & another

.....**Petitioner.**

Versus

The State of Bihar

.....**Opposite Party.**

Counsel for the petitioner :- Sri Trilok Nath Jha, Ld. Advocate.

Counsel for the State:- Smt. Punam Jha, Ld. APP.

Counsel for the informant :- Sri Navin Kumar Thakur, Ld. Advocate.

ORDER

08.06.2026 The present anticipatory bail petition has been filed on behalf of petitioners namely 1.Dukhi Pandit @ Dukhi Kumar, aged about 30 years, S/o Pulkit Pandit and 2.Pappu Pandit @ Pappu Kumar Pandit, aged about 29 years, S/o Kripal Pandit, Both resident of Vill – Bheriyahi Tole, P.S. Bahera, Dist.- Darbhanga, in connection with Bahera P.S. Case No. 335/2025 for offence u/s 126(2), 115(2), 118(1), 109, 303(2), 351(2), 3(5) of BNS, which is pending in the court of Ld. A.C.J.M., Benipur.

Heard Sri Trilok Nath Jha, Ld. Counsel for the petitioners, Sri Navin Kumar Thakur, Ld. Counsel for the informant and Smt. Punam Jha, Ld. Counsel for the state.

The prosecution case as stated in brief is that on 09.09.2025 at around 1 PM the informant's neighbours namely Dukhi Pandit, Pappu Pandit, Saurav Paswan, Sajan Paswan, Tara Paswan and Ankush entered into the courtyard of informant carrying weapons, lathi and danda and started to abuse. That all accused persons assaulted informant with lathi and iron rod with intention to kill due to which his head and his both hands got fractured. That when informant became unconscious, accused persons left that place. That Prahalad Pandit had taken box containing cloths and Rs. 5,000/- cash from the house of informant.

The Counsel for the petitioners has submitted that this is an application for grant of anticipatory bail on behalf of above named petitioners who are apprehending their arrest by the local police on a false accusation of having committed a non-bailable offence. That prior to it, no bail petition, either anticipatory or regular has ever been filed on behalf of the above named petitioners either before this Ld. Court or before the Hon'ble High Court, Patna and no such bail petition is pending anywhere. That there is no criminal antecedent against the petitioners. That the petitioners are quite innocent and have committed no offence. That the petitioners have falsely been implicated in this false case due to local politics and out of grudge. That no such occurrence took place as alleged in the FIR. That the allegation levelled against the petitioners are totally false, baseless and absurd one. That all sections are bailable except 109, 303(2) BNS which is not made out at all against the petitioners. That from perusal of FIR, Ld Court will find that there is no specific allegation against the petitioners and allegation u/s 303(2) BNS is ornamental. That this case is counter blast of Bahera P.S. Case No. 147,25 lodged by one Babita

Court of Dist. & Addl. Sessions Judge-I, Benipur (Darbhanga)
Present:- Sri Rishi Gupta, Dist. & Addl. Sessions Judge-I, Benipur
In Bahera No. 335/25, State vs. Dukhi Pandit & another.

Devi wife of Dukhi Pandit (petitioner No. 1) against the informant of this case and others. That the petitioners are ready to abide by the condition or conditions as imposed by the Ld. Court. That the petitioners are men of sufficient means and as such there is no chance of their absconding. That one co-accused Prahalad Pandit has been granted anticipatory bail the Ld. Court of ADJ-I, Benipur vide ABP No. 415/25. That the petitioners are ready to furnish the bail bonds to the full satisfaction of Ld. Court. Hence, it was prayed that the accused petitioners may be granted bail.

On the other hand Ld. Counsel of the State has opposed the prayer for bail submitting that the offences are grave in nature, hence the bail petition of the petitioners may be rejected.

Heard, Submissions of both parties and perused the record. From perusal of record, it has been found that this case has been filed u/s 126(2), 115(2), 118(1), 109, 303(2), 351(2), 3(5) of BNS. That injury report of injured Shankar Gharari sent by police separately showing only one lacerated wound over skull and report from DMCH did not show any injury on head whatsoever. That counsel of informant during the course of hearing filed injury report separately and submitted to consider report submitted by him instead. That on the said injury report, it is hereby clarified that at the time of hearing of bail petition, court can not look into documents/reports submitted by private person that too when the report submitted is of 12.09.2025 while occurrence is of 09.09.2025. That allegation against accused persons are omnibus. That counsel of petitioner in bail petition submitted that there is no criminal antecedent of petitioners. That co-accused has been granted bail. So, in such circumstances, it not appears proper to let the sword of arrest hanging on the head of petitioner and accordingly this Court finds it proper to **allow** the bail petition of the petitioner **1.Dukhi Pandit @ Dukhi Kumar**, aged about 30 years, S/o Pulkit Pandit and **2.Pappu Pandit @ Pappu Kumar Pandit**, aged about 29 years, S/o Kripal Pandit, Both resident of Vill – Bheriyahi Tole, P.S. Bahera, Dist.- Darbhanga. That in case of arrest or surrender within a period of three weeks of receipt of this order by the Ld. Court, the accused petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(Rs. Ten Thousands/-) with two sureties of like amount each to the satisfaction of the court and with the condition that accused petitioners shall cooperate in trial and investigation.

(Dictated and Corrected)

(Rishi Gupta)
 Addl. Sessions Judge I,
 Benipur
 08.06.2026.

Date of Order	08.06.2026
Date of Reserving Order	08.06.2026
Uploading Date	10.06.2026
Uploaded by	Lav Kumar, Court Reader cum D.W.