

IN THE COURT OF ADDITIONAL SESSIONS JUDGE III,
DISTRICT:-GOPALGANJ (BIHAR)
Bail Petition No. 605 of 2026
(Arising out of Baikunthpur P.S. Case No. 359/2025)

Nagendra Pandey, S/o Late Sree Pandey .

:-----Petitioner.

Versus.

The State of Bihar

:-----Opp. party.

Ld. Counsel for the Petitioner :- Shri Abu Samim Ansari, Adv.

Ld. Counsel for the State :- Shri Deo Vansh Giri, P.P.

Order with signature of the Court

16-07-2026

1. This bail application is preferred by above named petitioner who is in jail custody since 29-05-2026, in connection with **Baikunthpur P.S. Case No. 359/2025, for the offences punishable under Sections- 126(2), 115(2), 109(1), 305, 74, 329(3), 329(4), 351(3), 352, 3(5) of B.N.S. & 27 Arms Act**, is put up for hearing.
2. Heard Ld. Advocate for the petitioner as well as Ld. Addl. Public Prosecutor on behalf of the State.
3. As per FIR, prosecution case in brief is that on 15.08.2025 at about 03:00 AM, the informant Musmat Aarati Kuwar was sitting inside her grocery shop, her neighbor, Umesh Pandey arrived at her shop and requested some goods on credit then she requested him to clear his previous outstanding dues amounting to ₹7,400/- (**Rupees Seven Thousand Four Hundred**) first, stating that only then would she extend further credit to him. Upon hearing this, Umesh Pandey became infuriated and started hurling abuses to the informant, and said that "He will return from his house right now and settle her dues." Then, he returned from his house in a fit of rage, running back with a government-issued gun and his nephew, Manish Pandey was also running with a pistol in his hand. Seeing the scene, her son Govinda Pandey, rushed to her side, whereupon they began scuffling with him. During the scuffle, the government-issued gun held by Umesh Pandey accidentally fired. Hearing the sound of gunfire, Manish Pandey fired his pistol with the intent to kill him but it grazed his temple and went on to

IN THE COURT OF ADDITIONAL SESSIONS JUDGE III,
DISTRICT:-GOPALGANJ (BIHAR)
Bail Petition No. 605 of 2026
(Arising out of Baikunthpur P.S. Case No. 359/2025)

Continued
16-07-2026

strike Umesh Pandey's face. Thereafter, accused Mohit Pandey, Neeraj Pandey, Mahesh Pandey, Dhanraj Pandey, Rahul Pandey, Sonu Pandey, Ramesh Pandey, Nagendra Pandey, Sanjay Pandey, Manoj Pandey, Prince Pandey, Priya Kumari, Pragya Devi, Sangeeta Devi and Vimlawati Devi arrived at the spot, armed with *Lathi, Bhala, and Pharsa*, and Accused Rahul Pandey dragged her out of the shop, started assaulting her and also aggressively pulled and tore her *Saree and Blouse* due to which she became half naked. Then, accused Nagendra Pandey said that “*Is Sali Ka Man Kafi Bhadh Gya Hai*” and Her husband also died due to the beatings inflicted by them and order to Kill her today as well and finish her off completely. Upon hearing this, accused Sanjay Pandey, with the intent to kill me, assaulted brutally her breast by means of lathi, leaving her severely injured. He took out ₹57,000/- (**Rupees Fifty-Seven Thousand**) cash from her shop's cash drawer, which had been kept aside to pay her suppliers. When her sons, Govinda Pandey and Deepak Pandey, rushed to rescue her, they were brutally assaulted by means of *Lathis And Sticks* by Prince Pandey, Mohit Pandey and Rahul Pandey. When her sister-in-law (*Jethani*) Parvati Devi, arrived at the scene then Prince Pandey swung a pharsa at her with the intent to kill, but she narrowly escaped. Concurrently, Pragya Devi, Vimlawati Devi and Priya Kumari threw the inventory of her shop around, completely vandalizing it. Priya Kumari, snatched away her gold ear tops and the gold chain from her neck, valued at approximately ₹75,000/- (**Rupees Seventy-Five Thousand**). Upon hearing the escalating commotion and witnessing the arrival of the Emergency Response Vehicle (Dial 112), all the accused persons fled away from the spot. Thereafter, they got treatment at P.H.C. Goreyakothi, Siwan. Subsequently, F.I.R. has been instituted.

4. It is *inter alia* submitted on behalf of petitioner that he is innocent and has falsely been implicated in this case. Ld. Advocate for the petitioner submitted

IN THE COURT OF ADDITIONAL SESSIONS JUDGE III,
DISTRICT:-GOPALGANJ (BIHAR)
Bail Petition No. 605 of 2026
(Arising out of Baikunthpur P.S. Case No. 359/2025)

Continued
16-07-2026

that this is the second bail application filed on behalf of the petitioner previously no any other bail petition either anticipatory or regular application has been filed either before the Hon'ble High Court of Judicature at Patna or before this court prior to present one. In para no. 03 of the bail petition, it has been stated that the petitioner has got six criminal antecedents and there is case and counter case between the parties. The petitioner is quite innocent and has committed no offence as alleged in the FIR. The petitioner has been falsely implicated in this case due to ulterior motive. It is further submitted that there is only allegation of abetting against petitioner, he is the senior citizen. Moreover, petitioner is in jail custody since 29-05-2026. On such strength, prayer for bail has been made.

5. *Per contra*, ld. P.P. for the State has opposed the prayer of bail of the petitioner.
6. Having heard both the parties, I have gone through the case record along with case diary. From perusal of case record, it appears that Baikunthpur P.S. Case No. 359/2025, for the offences punishable under Sections- 126(2), 115(2), 109(1), 305, 74, 329(3), 329(4), 351(3), 352, 3(5) of B.N.S. & 27 Arms Act had been lodged against the accused persons. There is only allegation against the accused petitioner that he has abetted the co-accused persons. From perusal of case diary, it appears that there is general allegation against the accused Petitioner. Para no. 28 of the case diary, injury report of injured Aarti Kuwar which shows that injury no. 2 to 3 are simple in nature and injury no. 2 is grievous in nature caused by hard and blunt substance. It further appears that there is case and counter case between the parties. Moreover, petitioner is languishing in jail custody since 29-05-2026.

IN THE COURT OF ADDITIONAL SESSIONS JUDGE III,
DISTRICT:-GOPALGANJ (BIHAR)
Bail Petition No. 605 of 2026
(Arising out of Baikunthpur P.S. Case No. 359/2025)

Continued
16-07-2026

7. Considering the above facts and circumstances of the case and the period of detention undergone by the petitioner. Petitioner **Nagendra Pandey, is directed to be released on bail**, furnishing bail bond of Rs. 30,000/- with two sureties of like amount each to the satisfaction of the learned court concern subject to following conditions that **1. One of the bailor will be family member of the petitioner, 2. Accused petitioner has to file undertaking that he will not indulged in such type of offence in future otherwise concerned court will have liberty to cancel his bail bond.**

Let a copy of this order be transmitted to concerned court forthwith and the order be uploaded on C.I.S. immediately.

This order is dictated and corrected by me.

Dictated

(Rajendra Kumar Pandey)
District & Addl. Sessions Judge III,
Gopalganj.

Date of order	16-07-2026
Date of reserving order	16-07-2026
Uploading date	16-07-2026
Uploaded by	Shobhit Kumar