

**THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
DINESH PANDIT VS. THE STATE OF BIHAR**

B.A. NO. - 172 Of 2026

Khaira P.S Case No.- 71/2026

ORDER

Present: Sudhir Sinha

.....
26.03.2026

This regular bail petition has been filed by petitioner Dinesh Pandit who is in custody since 28.02.2026 in connection with Khaira P.S. Case No. 71/2026 registered u/s- 126(2), 115(2), 109(1), 324(4), 3(5) of B.N.S, the copy of which is served upon the ld. P.P.

The ld. Counsel for the custody accused has submitted that accused petitioner is rotting in jail since 28.02.2026. The regular bail petition was rejected on 07.03.2026 by ld. C.J.M, Jamui and after that no any other bail petition has been filed on behalf of the petitioner in any other Court except the present one. The petitioner has got no criminal antecedent. Police has not given notice u/s-35(3) of BNSS to the petitioner. The petitioner and his family members have been brutally assaulted by the informant and his family members for which earlier Khaira P.S case no. 70/26 has been filed. The instant case is counter case of his case. All sections areailable except section 109(1) of BNS which is not applicable against the petitioner. As per ld. Counsel the petitioner is innocent, has committed no offence and has been falsely implicated in the case due to land dispute. The petitioner is non assailant nor any allegation levelled against him. The petitioner is a man of means and there is no chance of his absconding and he is ready to furnish bail bond to the satisfaction of ld. Court. In such view the ld. Counsel prayed to enlarge the petitioner on bail.

The ld. Addl.P.P opposed the prayer for bail.

On perusal of case diary it is clear that on the basis of written information of Vikash Kumar, the Khaira P.S. Case No. 71/2026 was registered u/s- 126(2), 115(2), 109(1), 324(4), 3(5) of B.N.S, wherein he has stated that on 27.02.2026 at about 6:30, Prakash Pandit, Dinesh Pandit, Vijay Kumar, Suraj Kumar, all came at his house and they told him they would not give share to the informant in this house and they will make a wall on the main gate of the house of the informant. Upon his objections, Prakash Pandit having iron rod assaulted at his head due to which his forehead got torn and it started bleeding . All accused persons armed with lathi danda assaulted him and the accused persons also damaged his Toto Riksha by bricks and stones. Nearby people took him to Khaira Hospital for treatment. The informant in his re-statement in CD para-2 has stated the same facts. The witnesses in CD paras- 11, 12, 13, 14 and 18 have supported the case of prosecution. In CD

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
DINESH PANDIT VS. THE STATE OF BIHAR

B.A. NO. - 172 Of 2026

Khaira P.S Case No.- 71/2026

ORDER

Present: Sudhir Sinha

para-39 there is no criminal history against the petitioner. The injury report of Vikash Kumar(informant) as per case diary is 1. L/W on Right side of temporal region of skull size 2"x½", 2. Whole body pain, the injury no. 1 is grievous in nature while injury no. 2 is simple in nature. The Court finds that the direct allegation of assault upon head of informant is against Prakash Pandit. The allegation against the petitioner is that all other accused person assaulted the informant with lathi & danda. There is case and counter case between parties. The petitioner is in jail since 28.02.2026.

Therefore considering the facts and circumstances of this case having regard to the submissions advanced by both the parties, the custody accused **Dinesh Pandit** is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the concerned court.

Dictated & Corrected

District & Addl. S.J -II, Jamui
26.03.2026