

In the Court of District & Additional Sessions Judge-I
Presiding Officer: Dushyant Kumar
Rosera , District-Samastipur
A.B.P. No. 174C of 2026

(Arising out of C.R. Case No. 455 of 2025, T.R. No. 1645 of 2026)
Date: 04.06.2026

Ashok Pandit & Another

.....Accused/Petitioners.

vs.

State of Bihar.

.....Prosecution/O.P.

ORDER

1. The present petition has been filed by the accused petitioner namely Ashok Pandit and Sanjai Pandit, seeking anticipatory bail apprehending their arrest in connection with C.R. Case No. 455 of 2025 in which cognizance has been taken under Sections 316 (2), 115 (2), 352 of B.N.S.
2. Briefly stated, the above complaint case has been filed by the complainant, Rekha Devi wife of Kamlesh Pandit against Ashok Pandit, Sanjay Pandit, Pappu Pandit, Sujit Pandit, Chunchun Devi and Sunila Devi alleging that the government has acquired the land of complainant and accused persons including the house of complainant for widening of NH 527E and total amount of compensation was allocated Rs. 47, 52, 678/- in which half of the compensation amount Rs.23,76,339/- allocated to the husband of the complainant namely Kamlesh Pandit and half of the amount allocated to the Ashok Pandit and Sanjay Pandit and in this connection notice has been issued by the office of land acquisition. The complainant went to the office of land acquisition office along with Ashok Pandit and Sanjay Pandit where they introduced her with a person whose name she does not know but his mobile No. is 8298135822 and said that he is Amin in land acquisition office and he would give the money. On their assurance the complainant put her thumb impression over the documents. The further case of the complainant is that on 07.11.2024 in stead of Rs.23,76,339/-, only Rs. 16,07,533/- was received in the bank account of the complainant. On the said matter, a panchyati had been held in which accused No. 1 and 2 confessed that excess six lakh rupees had been received in their bank account and they assured that they would return the said amount. Whenever complainant demanded her money accused No. 1 and 2 procrastinated on the one pretext or other. On 20.12.2024 when complainant asked them to return her money they started abusing and assaulting her by means of kick, fists and sticks. The witnesses and passerby intervened in the matter and saved the complainant.
3. Heard Sri Satikant Sahni "Shashi", Ld. Counsel for the accused petitioner and Sri Sita Ram Yadav, Ld. APP. for the State.
4. Ld. Counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. He further submits that the petitioners have no criminal antecedent and that no previous application for anticipatory or regular bail has been filed on his behalf before any Court. It is contended that the petitioners have never

In the Court of District & Additional Sessions Judge-I
Presiding Officer: Dushyant Kumar
Rosera , District-Samastipur
A.B.P. No. 174C of 2026

(Arising out of C.R. Case No. 455 of 2025, T.R. No. 1645 of 2026)
Date: 04.06.2026

committed breach of peace and this case and this case has been filed by complainant under mistake of fact. The petitioners apprehend their arrest, undertakes to abide by all conditions under Section 482(2) of the B.N.S.S., and there is no likelihood of his absconding or tampering with the evidence if granted the privilege of anticipatory bail.

5. On the other hand Ld. APP. on behalf of state opposed the prayer for bail.
6. Perused the records. The instant complaint case has been instituted against the accused persons, including these petitioners on the allegation that the petitioners have misappropriated six lakh rupees of the complainant. In the said complaint case, cognizance has already been taken under Sections 316 (2), 115 (2), 352 of B.N.S. and warrant has been issued. Thus, the stage of investigation/inquiry has already concluded and no question of custodial interrogation of the petitioners survive. No material has been brought on record to indicate that the petitioners is likely to abscond, tamper with the prosecution evidence, influence witnesses, or otherwise obstruct the course of justice. The petitioners are stated to have no criminal antecedent and have expressed their willingness to cooperate with the trial.
7. Considering the aforesaid facts and circumstances, particularly the fact that the instant case, is a complaint case in which cognizance has been taken under Sections 316 (2), 115 (2), 352 of B.N.S. This Court finds no compelling reason to subject the petitioners to pre-trial incarceration, and hence the petitioners deserve to be extended the privilege of anticipatory bail.
8. Accordingly, the petitioners, namely Ashok Pandit and Sanjai Pandit are directed to be released on bail in the event of their arrest or surrender before the Court within six weeks from today on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court of the Ld. Magistrate concerned in connection with **C.R. Case No. 455 of 2025, T.R. No. 1645 of 2026** subject to furnishing of undertaking regarding compliance of the conditions mentioned in Section 482(2) of BNSS.
9. Let a copy of this order along with the LCR be sent to the Court of the Ld. Magistrate concerned.

Dictated

Sd/-

District & Additional Sessions Judge -1
Rosera, Samastipur