

In the Court of Dist. & Additional Sessions Judge-III, Sheohar
A.B.P. No-205/2026

Arising out of Fatehpur PS Case No-18/2026

Present:-Sunil Dutt
District & Additional Sessions Judge-III, Sheohar

1. Parmeshwar Pandey, s/o Late Vishnath Pandey, Aged-about 52 years,
R/o Vill-Mathurapur , PS-Fatehpur, District-Sheohar

(Bihar)

..... (Petitioner)

V /s

State Of Bihar(Opposite Party)

On behalf of State-Md. Arshad Siddique (Ld. APP)

On behalf of defense- Shri Pravin Kumar Singh (Ld. Advocate)

Sl. N o.	Date of Order	Order with signature	Remarks
	<u>09.06.2026</u>	<u>Order</u> Anticipatory bail petition filed on behalf of accused/petitioner namely Parmeshawar Pandey, in connection with Fatehpur PS Case No-18/2026 dated- 09.04.2026 u/s 115(2), 126(2), 303(2), 109, 329(2), 352, 3(5) of BNS along with IA petition no. A1/26 dated 26-05-2026 has been pressed today for hearing. Copy of the petition has already been served to Ld. APP for the state. Heard Sri Pravin Kumar Singh, Ld. Counsel appearing on behalf of the petitioner and Md. Arshad Siddique Ld. APP for the state and perused the case record. The prosecution story as per FIR in brief is that the informant Jitendra Kumar Pandey S/o Late Jagarnath Pandey, r/o village Mathurapur, P.S. Fatehpur Dist- Sheohar had cultivated wheat crop in his share of land of Khata No. 159, Khasra no. 368, area 12.5 decimal, which he was harvesting on 07-04-2026 at about 8.00 am then suddenly Shailendra	

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Continued 09.06.2026	Kumar Pandey @ Ravi Pandey, Gudiya Devi, Parameshwar Pandey, Anuranjan Pandey armed with lathi, Iron rod, sword came to the field. Shailendra Pandey with the intention to kill struck on head of the informant with iron rod, resulting injury and bleeding from head. When he falls down then he again struck with rod hitting his shoulder. Anuranjan Pandey assaulted with sword causing injuries on his forehead and Gudiya Devi took Rs 5000 from his pocket. On hearing the commotion the villagers came and intervened and saved his life. People brought him in injured condition to Saroja Sitaram Hospital where he received medical care. Accordingly FIR was instituted. Ld. Counsel appearing for the petitioner has submitted that earlier no other bail petition has been moved either in this Court or before Hon'ble High Court, Patna as mentioned in para-02 of the anticipatory bail petition. Ld. Counsel for the petitioner in his misc. continuous petition dated 26-05-2026 has mentioned that petitioner has two criminal antecedent of simple nature in which he is on bail and which due to mistake has been left to be mentioned in the original anticipatory bail petition. The learned Counsel further submitted that petitioner is innocent and has been falsely been implicated in this case. There is case and counter case between the parties. Informant himself is accused of Fatehpur P.S. case no. 19/26 and only to save himself informant has lodged this false case against the petitioner. There is no allegations of Section 303(2) of BNS against the petitioner and section 109 of BNS has falsely been added only to make it non-bailable and all other sections are bailable in nature. Both parties are of the same family and there is land dispute between them. There is no chances of absconding of the petitioner and he is ready to furnish bail bond as per order of the court. At last it has been prayed to	
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	<u>Continued</u> <u>09/06/2026</u>	allow the anticipatory bail petition of the petitioner. <i>Per contra</i> Ld. APP opposed the prayer of bail of the petitioner . Heard both sides and perused the case record. On perusal of the case record it appears that FIR has been lodged u/s - 115(2), 126(2), 303(2), 109, 329(2), 352, 3(5) of BNS, in which alleged section 303(2) and 109, are non-bailable. From further perusal of the case diary it appears that there is case and counter case between the parties. Informant of both the cases are own brothers who have logged case and counter case against each other, there is a land dispute between them, for which the quarrel started, both parties assaulted each other. From para 30 of the case diary it appears that the injury of informant Jitendra Kumar Pandey is mentioned as laceration on front scalp and on left arm, right forearm and on left side of back are bruise type of injury. All injuries are opined by doctor are simple in nature caused by hard blunt substance. From perusal of the case diary it appears that there is no any specific allegations against the petitioner u/s 109(1) of BNS or committing theft against the above named petitioner Parmeshwar Pandey and all allegations under other sections leveled are bailable in nature. Petitioner is having two criminal antecedent as mentioned in para 31 of the case diary, and in both cases he is on bail which has been mentioned in para-03 of the misc. petition. Thus, considering the aforesaid facts and circumstances of the case, no specific allegations against the petitioner this court is inclined to enlarge the petitioner to anticipatory bail. It is therefore ordered that in the event of arrest or surrender before the learned trial court concerned within four weeks from the date of receipt of this order the accused/petitioners (1)Parmeshawar Pandey, is directed to be released on bail	
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<u>Continued</u> <u>09/06/2026</u>	after furnishing bail bond of Rs. 10,000 (Ten Thousands) with two sureties of like amount each to the satisfaction of the Court concerned, subject to the further condition that:- (i) one of the bailor shall be either father, mother, brother, sister or any close relative. (ii) the petitioner shall co-operate during investigation and trial and shall remain physically present in court till framing of charge. (iii) If the petitioner has concealed his criminal antecedent other one disclosed one, then the prosecution shall be at liberty to take steps for cancellation of the bail bond of the petitioner. (iv) Bailors shall furnished separate declaration/undertaking u/s 486 of BNSS. (v) The petitioner shall comply the conditions as mentioned under section 482(2) of B.N.S.S. Dictated (Sunil Dutt) District & Additional Sessions Judge-III, Sheohar. 09/06/26.	
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