

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 8205 of 2025

Rajendra Pandey, son of Late Kesho Pandey, resident of Village Katia,
P.O. & P.S. Kunda, District Deoghar Petitioner

Versus

The State of Jharkhand Opp. Party

With

B.A. No. 8596 of 2025

Dablu Pandey @ Dablu Kumar Pandey, son of Rajendra Pandey,
resident of Village Katia, P.O. & P.S. Kunda, District Deoghar

.... Petitioner

Versus

State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

In B.A. No.8205 of 2025

For the Petitioner : Mr. Anwar Hussain, Advocate
Mr. Jayant Kumar Pandey, Advocate
For the State : Mr. Satish Kumar Keshri, A.P.P.
For the Informant : Mr. Ankit Kumar, Advocate

In B.A. No.8596 of 2025

For the Petitioner : Mr. Suraj Singh, Advocate
Mr. Lalit Yadav, Advocate
Mr. Satyanshu Shubham, Advocate
For the State : Mr. Saket Kumar, A.P.P.

Order No.06 / Dated : 07.01.2026

Both these petitions arise out of the same case and therefore, they have been heard together and will be disposed of by the common order.

Bail petitions filed on behalf of the petitioners- Rajendra Pandey and Dablu Pandey @ Dablu Kumar Pandey, who are in custody since 22.03.2025 in connection with Kunda P.S. Case No. 45 of 2025 for the offence registered under Sections 103(1), 61(2)(a) and 3(5) of the BNS, 2023 pending in the Court of learned Judicial Magistrate, 1st Class, Deoghar, is pressed into motion.

As per the FIR, on 10.02.2025, Niranjan Pandey, Randhir Pandey, Dablu Pandey, Bablu Pandey, Rajendra Pandey, Tasar Devi, Akshay Jha and Akash Jha, conjointly entered into the house of the informant and indiscriminately assaulted the deceased Govind Pandey, resulting in fatal injuries due to which he died. Specific allegation of assault is that Niranjan Pandey gave blow with Farsa on the head of the deceased, Randhir Pandey

tried to assault him over his neck which the deceased was able to prevent by his hand. In the meantime, Dablu came with a rod and assaulted him all over his body. It is also stated that Rajendra Pandey also assaulted with Tangi which missed the intended target.

It is argued by the learned counsel on behalf of petitioner- Rajendra Pandey that he is 78 years old person and has been falsely implicated in the case. There is no allegation of assault resulting any injury to the deceased. The only allegation is that he attempted to inflict with Tangi over is leg which missed the target.

It is argued by the learned counsel on behalf of petitioner- Dablu Pandey @ Dablu Kumar Pandey that the allegation is mainly attracted against Niranjan Pandey and Randhir Pandey. Though there is allegation of indiscriminate assault with rod, but that is not corroborated by the medical evidence.

Learned A.P.P. assisted by learned counsel on behalf of informant have vehemently opposed the bail petitions. It is submitted that Dablu Pandey @ Dablu Kumar Pandey assaulted the deceased all over his body. As per the post-mortem examination report, the deceased had sustained injury over his head and further since Section 3/5 of the BNS has been invoked and all the accused persons were acting in furtherance of common intention, therefore, individual role becomes insignificant.

Having considered the submissions advanced on behalf of the petitioners, so far the petitioner- Rajendra Pandey is concerned, as per the FIR, he does not appear to have struck the deceased with any weapon.

So far the petitioner- Dablu Pandey @ Dablu Kumar Pandey is concerned, it is alleged that he had assaulted the deceased all over his body with rod, but that is not corroborated by the medical evidence as the injury is only found on the head and wrist of the deceased.

Under the circumstance, the petitioners- Rajendra Pandey and Dablu Pandey @ Dablu Kumar Pandey are directed to be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the Court below.

(Gautam Kumar Choudhary, J.)