

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3930 of 2025

Arising Out of PS. Case No.-73 Year-2024 Thana- AGIAON BAZAR District- Bhojpur

Tuday Pandey @ Abhishek Pandey Son of Vikash Pandey Resident of
Village- Lahthan, P.S.- Agiaon Bazar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-02-2025 Heard Mr.Anil Kumar Singh, learned counsel for

the petitioner and Mr.Manoj Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Agiaon Bazar P.S. Case No.73 of 2024, dated 14.05.2024 registered for the offences punishable under Sections 341,323,307,448,379/34 of IPC.

3. The prosecution case, in brief, is that the informant reached his home 09.00 AM and found that Manju Devi has assaulted his wife and daughter due to which his daughter sustained injury in her neck. At the same time another co-accused along with petitioner Tuday Pandey carrying a danda in his hand entered his house and attacked with ramy on his head. Tuday Pandey gave him a lathi blow on his head. After which



the informant fell down on the ground. Petitioner took away Rs. 50,000/ from his pocket. People gathered on the spot when Manju Devi snatched a gold chain from his wife, hence this case.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. As per FIR allegation against the petitioner is that he assaulted to the informant by means of lathi. Although the informant has received the injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance and the present case is counter blast of Agiaon Bazar P.S.Case No. 72/2024 filed by the daughter of the petitioner against the present informant and others.

5. Learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is case and counter case and injury report of the informant suggests that the injury is simple in nature, let the petitioner, above named, in the event of his arrest or surrender



before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Agiaon Bazar P.S. Case No.73 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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