

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55900 of 2025

Arising Out of PS. Case No.-209 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

Uma Shankar Rai S/o Late Kamala Rai R/o Village- Karmahari, PS-
Mohania, District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2025 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Mohania P.S. Case No. 209 of 2025, lodged on 15.03.2025, under Sections 126(2)/118(2)/109(1) of the Bhartiya Nyay Sanhita, 2023, pending in the Court of A.C.J.M.-I, Mohania (Kaimur).

3. As per the prosecution, the FIR has been lodged against the sole accused (petitioner) with allegation that he has assaulted to the informant with knife twenty times due to



which he became unconscious.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that there is one criminal antecedent against the petitioner. Counsel submits that petitioner and the informant both are co-villagers and land dispute is pending between them. Counsel submits that there is case and counter case between the parties and petitioner has been made an accused in this case only to create pressure to settle Mohania P.S. Case No.211 of 2025. Counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is direct allegation of repeated assault against the petitioner.

6. Considering the criminal antecedent as well as direct allegation of assault, the prayer for anticipatory bail of petitioner is hereby rejected. However, in the event of surrender of the petitioner within six weeks from today, the prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court. The Trial Court is also directed to verify the factual matrix from



the case-diary. The time period within which the diary will
come, he shall not arrest the petitioner.

(Dr. Anshuman, J)

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