

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57846 of 2025

Arising Out of PS. Case No.-258 Year-2024 Thana- PIPRA District- East Champaran

MOHIT PANDEY @ MOHIT KUMAR PANDEY Son of Devendra Pandey
R/o Vill.- Mahuawa, P.S.- Pipra, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar Tiwari, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal,APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 27-08-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Pipra P.S. Case No. 258 of 2024 instituted under Sections 126(2), 115(2), 118(1) 109, 352, 351(2)(3), 304(2), 62, 3(5) of the BNS lodged on 01.10.2024 by the informant.

3. As per the prosecution story, the informant alleged that on 30.09.2024, his younger brother, namely Vishal Pandey along with the petitioner snatched the mobile of the informant and on protest, they assaulted him and started throttling his neck. It is further alleged that Vishal Pandey attacked on the informant with knife due to which he sustained injury on his hand.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and from the FIR itself, it appears that the entire allegation of having inflicted



injury upon the informant is against Vishal Pandey and not against this petitioner. The petitioner is said to have been implicated in the capacity of order giver and there is no allegation of any overt-act. It has next been submitted that the injury sustained by the informant is said to have been found simple in nature caused by hard and blunt substance. Lastly, it has been submitted that the petitioner has been implicated in this case only on the basis that he is said to be the friend of accused, Vishal Pandey.

5. Learned APP vehemently opposes the prayer for anticipatory bail submitting that the informant has sustained injuries, the petitioner is stated to be an order giver and he has also got one criminal antecedent. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Taking into account the submissions of the parties and considering the fact that the petitioner is said to an order giver, there is no allegation of any overt-act against this petitioner and the injury sustained by the informant is said to have been found simple in nature caused by hard and blunt substance, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, named above, be released on



bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with aforesaid P.S. Case to the satisfaction of Ms. Swati Suman, learned Judicial Magistrate 1st Class, East Champaran, Motihari subject to the conditions as laid down under Section 482(2) of the BNSS, 2023 as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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