

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78610 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- SIMULTALLA District- Jamui

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Mohan Pandey S/o Late Jay Narayan Pandey R/o Village - Pandeydih
Dhodhari, P.S - Simultala, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-12-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 118(1), 109(1), 352 and 3(5) of the B.N.S., 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that he received a call from the tractor owner, who asked
him to get the bricks unloaded, accordingly, he came near the
tractor for getting the bricks unloaded, when petitioner came
and said that the bricks are his and he will get the same
unloaded, on objection, petitioner assaulted him by *tangi*
causing injury on head and other accused persons also assaulted
his mother by brick and stone.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to unloading of brick, the occurrence is alleged to have taken place. It is submitted that the tractor which had come laden with bricks was of the petitioner but then the informant was disputing the same, on account of which, an altercation took place, when both side assaulted each other. It is also submitted that no doubt the petitioner is alleged to have assaulted the informant but then the blow was not repeated and the injury has been opined to be simple in nature which amply demonstrates that petitioner never had any intention of committing a serious occurrence and petitioner is not a criminal.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Simultala P.S. Case No.53/2025, subject to the conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

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