

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2061 of 2025

Arising Out of PS. Case No.-173 Year-2024 Thana- RAGHOPUR District- Vaishali

Simal Kumar @ Jigal Sahni S/O Tilakdhari Sahni Resident Of Mohalla -
Nuruddin Nagar, P.S- Malsalami, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate
For the State : Md. Aslam Ansari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 15-05-2025 1. Heard learned counsel for the petitioner, learned APP
for the State.

2. The petitioner apprehends his arrest in connection with
Raghopur P.S. Case no. 173 of 2024 registered under sections
147, 148, 149, 341, 323, 324, 325, 307, 302, 504, 506 and
120(B) of the Indian Penal Code.

3. The allegation in the First Information Report is that
while the informant had gone along with his son to catch fish in
the Ganga river and the accused persons being 6 in number and
6 to 7 unknown, assaulted one Pramod Mahto by means of sharp
cutting instruments, lathi and iron rod indiscriminately and he
was put into the river. It is further alleged that the informant and
his two sons were also assaulted upon.

4. Learned counsel for the petitioner submits that the
allegations have been made in the First Information Report on



the basis of some dispute with regard to catching of fish between persons of two localities. It would be apparent from the First Information Report itself that there is general and omnibus allegation on 6 named and other 6 unknown persons and nothing specific has been attributed against the present petitioner. It has also been pointed out that as against the allegation of indiscriminate assault upon the deceased by way of several weapons, the post mortem report would show only one lacerated wound on the right parietal region of the skull and the cause of death was due to head injury due to physical assault. There is no injury of any sharp cutting instrument and the post mortem report also does not indicate any case of drowning etc. It has further been submitted by learned counsel for the petitioner that he has strong case of *alibi* as the petitioner was taken ill on 16.06.2024 and was admitted for treatment in Om Shiv Shakti Hospital, Katra Bazar, Didarganj and was discharged from there on 25.06.2024. In such view of the matter also, it is submitted that the petitioner is not involved in the occurrence at all and the petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Considering the aforesaid facts of the case, it is



directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Raghapur P.S. Case no. 173 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Raj Ranjan/-

U		T	
---	--	---	--

