

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2645 of 2026

Arising Out of PS. Case No.-728 Year-2025 Thana- AMARPUR District- Banka

Shankar Tuddu @ Shiv Shankar Tudu S/o Raghunandan Tudu @ Raghu
Tuddu R/o Village- Mahadev Sthan, P.S- Amarpur, Dist- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Amarpur P.S. Case No. 728 of 2025 registered for the offences
under Sections 191(2), 191(3), 190, 126, 115(2), 109(1), 132,
121(1), 121(2), 352, 35(2) of the Bharatiya Nyaya Sanhita,
2023.

3. The allegation against the petitioner is that he,
along with 10 named persons and around 25-30 unknown
persons, all variously armed with sticks, iron rod etc assaulted
the police personnel, who were there at the place of occurrence
looking for liquor.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and his name



is said to have been given by the local chowkidar. It has further been submitted that there is no specific allegation levelled against the petitioner and no incriminating article was recovered from his house. While the injuries said to have been sustained by two persons were found to be simple in nature except for one of the injury sustained by Dashrath Yadav. It has lastly been submitted that the petitioner carries one criminal antecedent in which he is on bail.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Amarpur P.S. Case No. 728 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close



relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 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.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

manoj/-

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

