

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40053 of 2026

Arising Out of PS. Case No.-37 Year-2026 Thana- SIMRI District- Buxar

Tej Narayan Pandey S/O Late Banwari Pandey @ Banvari Pandey @ Sriram Pandey R/O Vill- Simri (Khaira Patti), P.S - Simri, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aditya Nath Pandey, Advocate
For the Informant	:	Dr. Kamal Deo Sharma, Advocate
For the State	:	Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard Mr. Aditya Nath Pandey, learned counsel for the petitioner, Dr. Kamal Deo Sharma, learned counsel for the Informant and Mr. Ajay Kumar No. 2, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 18.05.2026, in connection with Simri P.S. Case No. 37 of 2026, F.I.R. dated 14.02.2026 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 251(2), 352 and 3(5) of the B.N.S., 2023.

3. Allegation against the petitioner is that he is the instigator and he has instigated the other co-accused persons to assault the informant and his brother and assaulted the informant due to which he sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated



in the present case and there is case and counter case between the parties. Although the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. From perusal of the F.I.R. it appears that due to land dispute the present occurrence had taken place and petitioner is in custody since 18.05.2026.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R. it appears that the petitioner has participated in the crime in question and the nature of injury of the injured person is grievous in nature and apart from aforesaid the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that there is case and counter case between the parties and there is no specific allegation against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. I,



Buxar in connection with Simri P.S. Case No. 37 of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the 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 antecedents, 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.

(Rajesh Kumar Verma, J)

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