

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44234 of 2026

Arising Out of PS. Case No.-117 Year-2026 Thana- BRAHMPUR District- Buxar

Nandan Tiwari, S/o Santosh Tiwari, R/o Village- kant, PS- Brahmpur, Distt-
Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Brahmpur P.S. Case No. 117 of 2026 registered for the offences
under Sections 126(2), 115(2), 109, 352, 351(2), 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the petitioner is that he had
assaulted the informant with an iron rod on his head, causing
injury and later the brother of the petitioner also assaulted him
with an iron rod on his head.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and that the
allegations made in the FIR are not corroborated by the injury
report. It has further been submitted that from the impugned



order itself, it would be clear that the informant had received simple injury. It has next been submitted that it is on account of some personal dispute that the petitioner has been falsely implicated in this case on a concocted story. It has lastly been submitted that the petitioner has one criminal antecedent and is on bail in the said case.

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 Brahmpur P.S. Case No. 117 of 2026, 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)

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