

In The Court of Sessions Judge, Buxar

A.B.P. No. 891 of 2026

(Arising out of Simri P.S. Case No. 53 of 2026)

1. Shashibhushan Tiwari @ Munna Tiwari, aged about 32 years, S/o Late Umakant Tiwari

2. Pankaj Tiwari, aged about 31 years, S/o Late Gupteshwar Tiwari,

3. Praduman Tiwari, aged about 22 years, S/o Ravishankar Tiwari.

All are R/o Village- Asha Padrari, Police Station- Simri, District- Buxar

..... Petitioners

Versus

State of Bihar

..... Respondent

Appearance:

Learned Public Prosecutor for the State: Sri Kedar Nath Tiwari

Learned Counsel for petitioners: Sri Dharmendra Kumar, Ld. Adv.

Present: Kajal Jhamb

Sessions Judge, Buxar

Date of Order: 03rd August, 2026

Anticipatory Bail Petition filed on behalf of petitioners named above, who are apprehending their arrest in connection with **Simri P.S. Case No. 53/2026** registered u/s 126(2), 115(2), 109, 303(2), 351(2), 352, 3(5) of B.N.S. 2023 is put up and moved today.

Copy of bail petition has already been served to the Learned Public Prosecutor for the State.

Learned Counsel for the petitioners certifies that no other bail petition has ever been filed on behalf of the petitioners in this matter either before this Court or before any other Superior Court. The petitioner no. 1 Shashibhushan Tiwari has got criminal antecedent of only one case and rest petitioners have got no criminal antecedent.

The Counsel further submits that, petitioners are quite innocent and have been falsely implicated in present case. The present case has been filed by informant to save himself from case filed by wife of petitioner no. 1 vide Simri P.S. Case No. 52/2026. The allegation against the petitioners are false, fabricated and baseless. The instant case has been lodged by informant only to put undue pressure to compromise Simri P.S. Case No. 249/2018 filed by petitioner no. 1. As per F.I.R. the occurrence took place on 04.03.2026 while the F.I.R. has been lodged on 05.03.2026 and the F.I.R has been sent to the learned C.J.M, Buxar on 13.03.2026 which is violation of Section 176 B.N.S.S. There is no specific allegation against the petitioner no. 1 and 3. The

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allegation of theft of gold chain against petitioner no. 2 is false. There is no independent witness of the occurrence. A Title Suit No. 531/2023 is pending between the parties. The informant side is harassing petitioners with intent to grab petitioner's land. The petitioners are ready to co-operate in investigation. Therefore, petitioners deserve to be enlarged on anticipatory bail.

Learned Public Prosecutor for the State strongly opposes the Bail Petition and submits the injured Santosh Kumar Tiwari has sustained altogether 5 injuries on his head and face which shows that he was repeatedly assaulted by the accused persons and his C.T. Scan report shows displaced fracture of both nasal bones and bony nasal septum, which have been opined to be grievous in nature.

Prosecution case in brief according to the typed petition of informant Kanak Devi is that on 04.03.2026 at about 03.45 P.M. petitioners and other co-accused persons namely Prem Bhushan Tiwari @ Dabloo Tiwari, Punit Tiwari @ Sanchal Tiwari, armed with various weapons, came at her door and assaulted her son Santosh Tiwari. It is alleged that petitioner Pankaj Tiwari fired and threatened the informant. Praduman Tiwari snatched a gold chain from the neck of informant's son. She took her son to C.H.C. Simri from where he was referred to Sadar Hospital, Buxar and from there to Patna. It is further alleged that earlier also the accused persons committed a similar offence regarding which Simri P.S. Case No. 250/2018 is already pending against them.

Heard Counsels of both sides and perused the photostat of case diary written upto para 103. Para 25 and 40 of case diary shows that injured Santosh Kumar Tiwari has sustained altogether 5 injuries on his head and his C.T. Scan report shows displaced fracture of both nasal bones and bony nasal septum, which have been opined to be grievous in nature. Para 95 of case diary shows that Petitioner No. 1 Shashibhushan Tiwari @ Munna Tiwari has got criminal antecedent of one case. There is specific allegation against Petitioner Nos. 2 and 3. Para 103 of case diary shows that the case is still under investigation.

Thus considering the submissions of both sides and fact and circumstances of the case, I am not inclined to enlarge the petitioners on anticipatory bail. Hence, the present anticipatory bail of the petitioners namely **Shashibhushan Tiwari @ Munna Tiwari, Pankaj Tiwari and Praduman Tiwari** is hereby **Rejected**.

Dictated
Sd/- Kajal Jhamb
Sessions Judge, Buxar
03-08-2026

Date of Order	03.08.2026
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