

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30912 of 2015**

Arising Out of PS.Case No. -438 Year- 2013 Thana -SIKARPUR District-  
WESTCHAMPARAN(BETTIAH)

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1. Anil Tiwari @ Sunil Tiwari Son of Late Ram Narayan Tiwari, resident  
of village - Akhwa Jamunia, Police Station - Shikarpur, District - West  
Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Party/s : Mr. S.N.Shukla (App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      31-07-2015

The petitioner is apprehending his arrest in connection  
with Shikarpur Police Station Case No. 438 of 2013 for the offences  
instituted under Sections 147/148/149/323/307/302 of the I.P.C.

Heard learned counsel for the petitioner and learned  
counsel for the State.

Prosecution case, in short, is that the informant alleged  
that his wife and daughter-in-law were abused by Kamalnath Tiwari @  
Bara Tiwari. In the meanwhile, all the accused persons too came armed  
with lathi, iron etc and Kamalnath Tiwari @ Bara Tiwari assaulted with  
iron rod on the head of Jokhan Yadav and other accused persons  
assaulted informant and two other female members.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. The main allegation is against  
co-accused Kamalnath Tiwari @ Bara Tiwari, who is alleged to have

given a single lathi blow due to which the deceased succumbed to injuries. As far as petitioner is concerned there is no allegation of assault against him.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Shikarpur P.S. Case No. 438 of 2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Mkr./-

**(Sudhir Singh, J.)**

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