

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50642 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -SIDHWARA District- DARBHANGA

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1. Ashok Kumar Tiwary @ Ashok Tiwary, S/o Late Haribansh Tiwary,
 2. Mukesh Kumar Tiwary @ Mukesh Tiwary, S/o Janardan Tiwary,
 3. Janardan Tiwary, S/o Late Tribeni Tiwary,
 4. Arun Tiwary, S/o Late Tribeni Tiwary, All are resident of Village- Rampura, P.s.- Sighwara, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 21-12-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Singhwara Police Station Case No. 15 of 2017, disclosing offences under Section 386 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that as a matter of fact, the informant happens to be Mahanth of Rampura Math and a civil dispute is going on with respect to land of the Math between the informant and Bihar Religious Trust Board for which F.A. No. 377 of 81 is still pending before the High Court and despite status quo granted by the High Court, the informant is dealing with the land of Mahanth. In fact, there



is also a land dispute between the petitioner No.3, who happens to be Sarpanch, and the informant for which M.R. Case No. 2823 of 2016 is still pending, which is evident from annexures- 3, 4 and 5 and on account of that these petitioners have falsely been implicated in this case. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IVth, Darbhanga, in connection with Singhwara Police Station Case No. 15 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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