

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60922 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -DERNI District- SARAN

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Rajendra Tiwary @ Nanhak Tiwary, son of Late Ramjit Tiwary, Resident of village- Khajauta, P.S. Derni, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vagisha Pragya Vacaknavi

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Derni P.S. Case no. 89 of 2016, registered under Sections 341, 323, 324, 427 and 436/34 of the Indian Penal Code.

The accusation is that some land has been purchased by informant Ajay Kumar Sharma and he has constructed hut on some land for tie the cattle regarding which Panchayati was made due to creating dispute on 26.08.2016, but later on Jai Prakash Tiwari, Vivek and Prashant Tiwari started to abuse him. When informant made protest then Jai Prakash Tiwari ordered to put fire in the hut. Thereafter, Vivek, who had pistol in his hand opened fire at Shivjee, but firing was missed. Thereafter, Rajendra Tiwary (Petitioner) caused injury to Dinesh Kumar Sharma, nephew of the informant, through iron rod and knife and Prashant Tiwari, who had sword in his hand



tried to put fire in the hut, but he was restrained, but Vivek put fire on the south portion of the hut

Learned counsel for the petitioner submits that it would appear from the F.I.R. that occurrence took place due to land dispute and allegation against the petitioner to cause injury to Dinesh Kumar Sharma through iron rod and knife, but only one injury of sharp cutting weapon found, which is simple in nature. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-VII, Chapra in connection with Derni P.S. Case No. 89 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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