

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48242 of 2017

Arising Out of PS.Case No. -452 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Pawan Kumar @ Pawan Kumar Tiwari @ Golu Tiwari son of Ravi
Bhushan Tiwari @ Lalu Tiwari
2. Bitu Tiwari @ Rajnish Tiwari son of Ashok Tiwari
3. Ritesh Tiwari son of Ashok Tiwari
4. Antu Dubey son of late Rambrichh Dubey All of residents of village -
Nandpur, P.S. Muffasil (Motihari), District East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Muffasil P.S. Case No.
452 of 2016 instituted for the offence under Sections-307, 354B &
other minor Sections of the Indian Penal Code.

It has been submitted that there is case and counter case
between the parties. There is land dispute between the parties.

In the written report, there is specific allegation against
petitioner No. 1 of giving three knife blows repeatedly on the person of
the informant causing injury to him The detail of injury sustained by the
informant has been mentioned at para-12 of the petition wherein three
incised wounds have been caused to the informant.

In such circumstances, this court is not inclined to grant



anticipatory bail to the petitioner No. 1. Accordingly, prayer for anticipatory bail of petitioner No. 1 is rejected.

The petitioner No. 1 is directed to surrender in the court below within four weeks from today and seek regular bail which will be considered by the court below on its own merit without being prejudiced by this order.

So far rest petitioners are concerned; there is general and omnibus allegation against them.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner Nos. 2 to 4 named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Muffasil P.S. Case No. 452 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner Nos. 2 to 4 shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner Nos. 2 to 4 and (3) if petitioner Nos. 2 to 4 tamper with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of bail of the
petitioner Nos. 2 to 4 .

(Sanjay Priya, J)

A.K.V./-

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