

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67940 of 2018

Arising Out of PS. Case No.-80 Year-2018 Thana- DHANAHA District- West Champaran

Pintu Tiwari Son of Balister Tiwari, Resident of Village-Tunihava, P.S.
Dhanha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,342,323,324,307,379 and 504/34 of the IPC.

The prosecution case as per the written report of Premchand Kushwaha submitted to the SHO, Dhanaha Police Station is to the effect that on 2.5.2018 at about 1.30 A.M., when the informant was returning after watching orchestra program, in the meantime, all the accused persons surrounded and assaulted the informant. When cousin brother of the informant namely Rajesh Kushwaha came to rescue him, then he was also assaulted. Specific accusation of assault has been levelled against co-accused Deepak Tiwari who assaulted Rajesh



Kushwaha with Garasi and co-accused Nippu Tiwari assaulted the informant with lathi on his hand causing them bleeding injury. It is further alleged that co-accused Rintu Tiwari took out Rupees Five Thousand from the informant's pocket.

It is submitted by learned counsel for the petitioner that the specific accusation of assault is against co-accused Deepak Tiwari and Nippu Tiwari who have been granted bail by a Bench of this Court vide Cr. Misc. No. 39546 of 2018.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that there is no specific accusation of assault against the petitioner coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM Ist, Bagaha, West Champaran in connection with Dhanaha P.S. Case No. 80 of 2018



subject to the conditions laid down in Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

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